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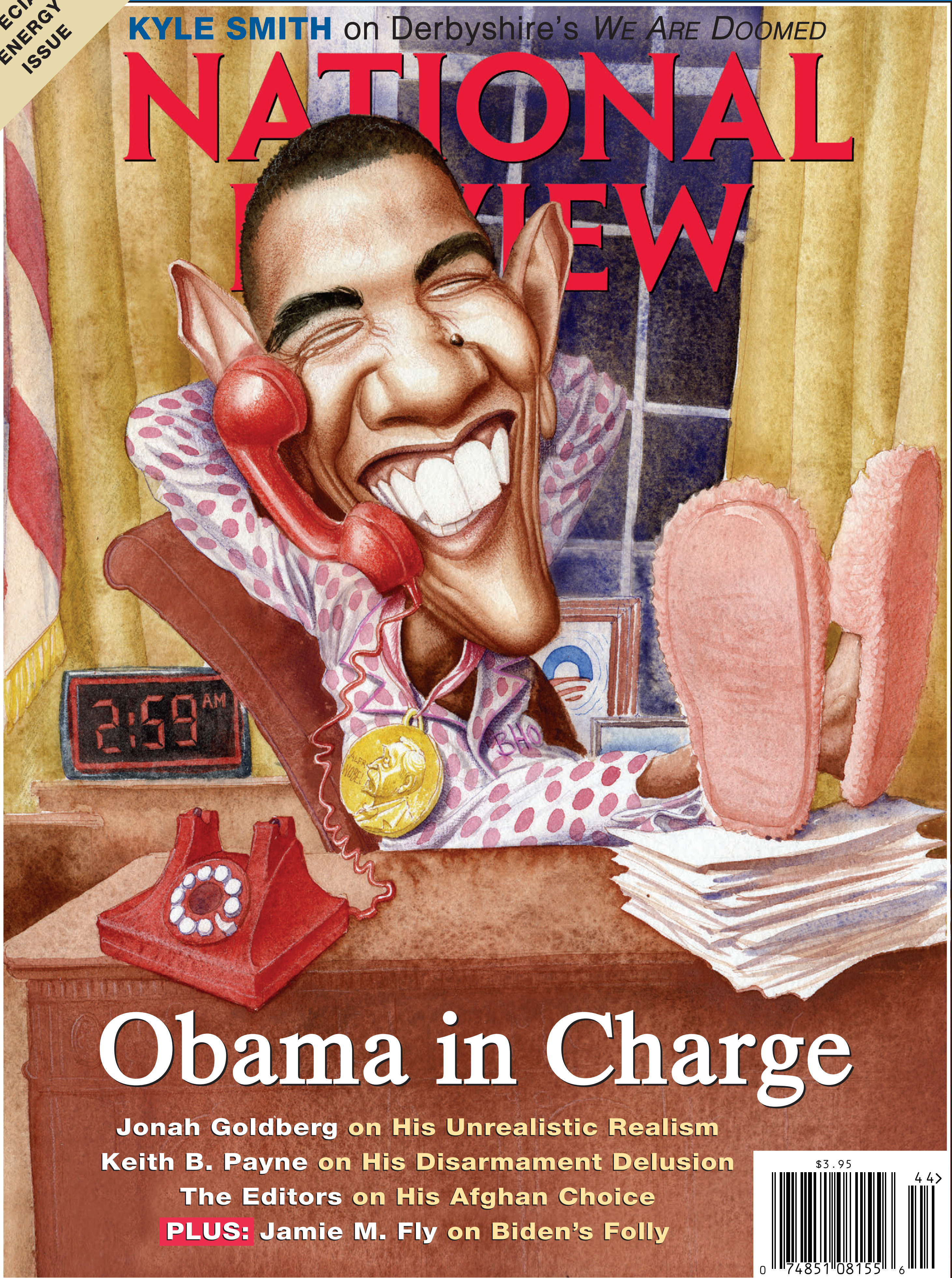
KYLE SMITH on Derbyshire's *We Are Doomed*

NATIONAL REVIEW



Obama in Charge

Jonah Goldberg on His Unrealistic Realism

Keith B. Payne on His Disarmament Delusion

The Editors on His Afghan Choice

PLUS: **Jamie M. Fly** on Biden's Folly

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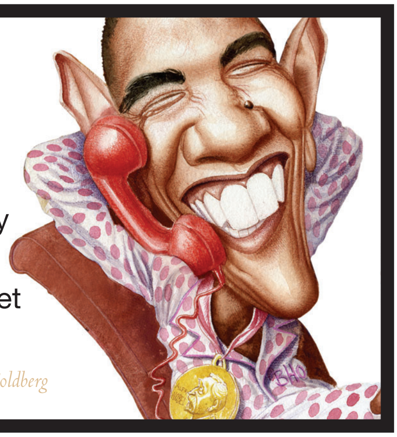

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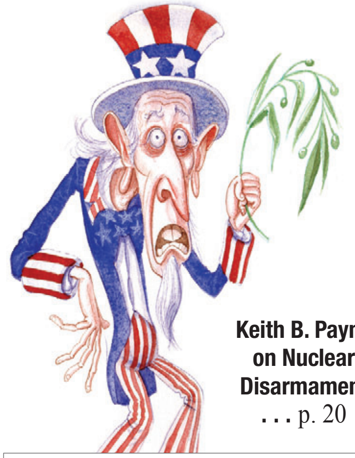

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Letters

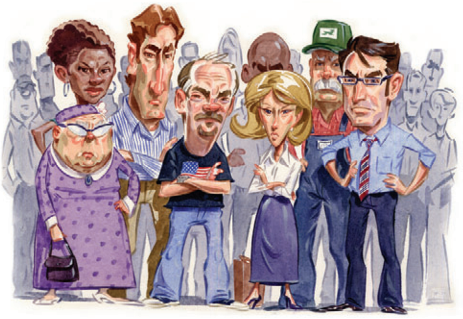
Smile

The Straggler (the always entertaining John Derbyshire) makes a strong argument for the celebration of the 18th century ("The Glorious Eighteenth," October 19). But P. J. O'Rourke had a wise and ready rejoinder for anyone who looks back upon the olden days with too much longing: modern dentistry.

Robert Sterling
Via e-mail

JOHN DERBYSHIRE REPLIES: Having been raised in England, I did not encounter modern dentistry until I settled in the U.S.A. in my 40s. If I could cope without it, I am sure others can too.

Fight



My compliments to Mark Steyn on his article about the September 12 march in Washington ("Right Turn on Main Street," October 5). The people who showed up represent millions of us who view the president's policies as a threat to our liberty and are tired of the way some in the Republican party dismiss us. Sarah Palin fights for what we believe in; that's why there were so many handmade "Palin 2012" signs there. Unless the GOP drops the gloves and figures out where its base is, it cannot win the next election.

Chuck Draksler
Collegeville, Pa.

Approximating the Essence of Romney

Ramesh Ponnuru's cogent analysis of how Mitt Romney could position himself for 2012 ("Romney Reboots," October 19) was lulling me into taking a Romney candidacy seriously until it hit me: That's the problem. It's all about positioning himself, reinventing himself. And there's the rub. Ronald Reagan never had to do that. He ran on principles he believed in, take them or leave them. We need that in 2012.

Andy Saylor
Elizabethtown, Pa.

RAMESH PONNURU REPLIES: My article discussed changes in Romney's emphasis, tone, and self-presentation, all of which would help him campaign in a way that is truer to his personality than he did in 2008. Reagan certainly made such changes; compare his attitude toward Social Security and Medicare in 1964 with the one he took in 1980.

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The Week

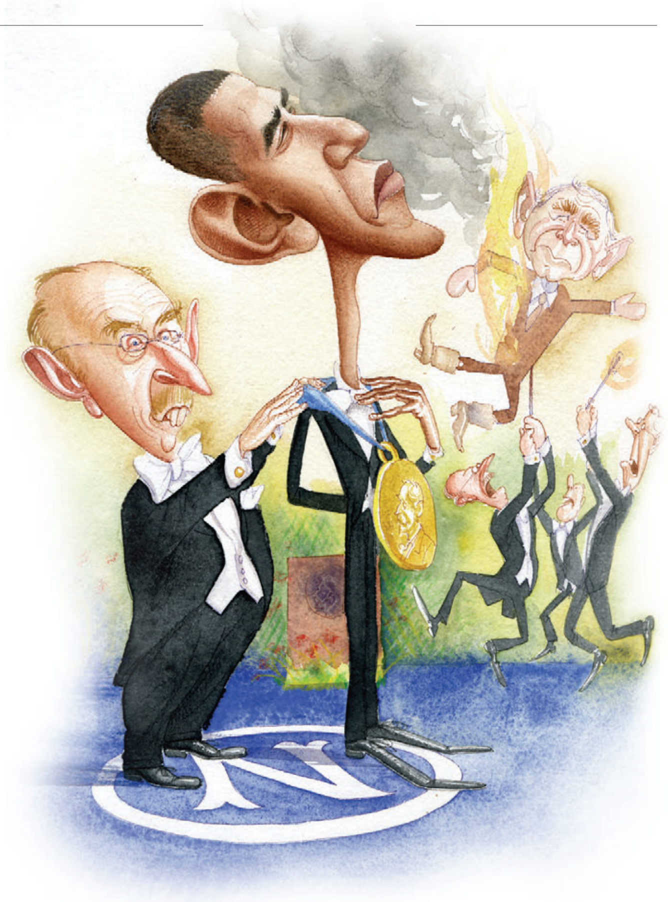
■ Our advice to Obama: Take that Nobel Prize money in euros, not dollars.

■ The news of President Obama's Nobel wiped out the news of his failure to persuade the International Olympic Committee to pick Chicago as the site of the 2016 summer games. Lucky man: His Olympic push was unseemly, for three reasons. It is hackish for a president to plug his hometown (Obama is president of the United States, not Hyde Park alderman). The United States is a great nation, which has hosted many Olympic games; other countries—such as Brazil, the 2016 winner—need the PR of being hosts, and need to ask for it, not us. The presidency is rough enough; Obama should not seek out occasions where he might fail.

■ Far be it from us to complain about a little Deaverism: the use of stagecraft in politics, even in governance. The best do it. But President Obama and his team were awfully brazen when they staged an event on the White House lawn to promote the president's health-care ideas. They invited a crowd of Obama-supporting doctors—and asked them to show up in white coats. Some of the doctors, not easily led, apparently, showed up in business suits and dresses. No worries: Team Obama had white coats on hand, to pass out to them to wear—the better for the pictures that would be taken of the event. President Bush or some other Republican would probably have been scored for this brazenness. And what kind of doctor wears a white coat to the White House, in order to listen to a presidential speech?

■ Once or twice a year there erupts a story that the oil sheiks or the ChiComs are plotting to dump the dollar as the go-to currency for oil trading or foreign reserves. October's installment came in the form of a breathless dispatch from the *Independent*'s unreliable Robert Fisk, who does not seem to appreciate that the foreign-exchange markets, which dwarf the oil markets, allow the Chinese, the petro-emirates, and others to hold as many or as few greenbacks as they like. China holds great bunches of U.S. dollars in reserve not because oil prices are expressed in dollars, but because it prefers U.S. dollars to yen, euros, or Kenyan shillings. For now. The value of the dollar is under siege, it is true, but it is threatened by spendthrift politicians in Washington, not by plots hatched in Beijing or Riyadh.

■ "I will end 'don't ask, don't tell,'" President Obama told the Human Rights Campaign, a gay-rights lobbying group, though he did not tell them when. His hesitation is merely prudent, but why does the policy exist? Congress has declared that gays should not serve in the military; "don't ask, don't tell" was a Clinton-era administrative compromise, declaring that the military would not look for gays who were discreet. After years of gays on TV shows and in lesson plans, the shock of their presence is gone, which is no bad thing. Still, chains of command and unit cohesion must not be threatened by romance or lust, real or imagined (this is also an argument against women in combat roles). This is especially true of republican armies: Prince Eugene and Frederick the Great didn't shower with anyone. Don't ask, don't tell, don't change. And to President Obama, don't lead on your supporters, but that is another matter.



ROMAN GENN

■ Jon Corzine, the Democratic governor of New Jersey, is deeply unpopular, and rich. His money has funded ad after ad savaging his opponent, Republican Chris Christie. (The latest goes after Christie for being fat.) Corzine's numbers have inched up, but Christie's have dropped—and a third-party candidate sounding conservative themes on taxes and spending has gained. Christie, capitalizing on his record as a prosecutor, has been running an anti-corruption campaign, and one based on vague, numbers-free promises to cut taxes and spending. The race is now tied. We have no problem with Christie's weight; his policy proposals could use more of it.

■ Marco Rubio, the Florida conservative who is running for Senate, is not going to raise as much money as his primary rival, Gov. Charlie Crist. But Rubio does not need to match

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Crist with money. He merely needs to raise enough money to inform Florida Republicans that he is with them on everything from federal spending to cap-and-trade legislation while Crist is—not. In the last financial quarter, Rubio raised $1 million. Crist has largely been ignoring the trouble on his right flank, but he now has something worse than that: competition.

■ Congress apparently has given up on the idea of securing the U.S.–Mexico border with a fence, having excised money for the project from a recent appropriations bill. Washington was never very serious about fencing off the border—the few miles of fence we have are routinely cut through by enterprising smugglers, cheeky crooks who install doors, complete with locks, for their own convenience. Now it seems as though Washington will save them the trouble.

■ Citigroup has unloaded its proprietary trading division, Phibro, for a song: $250 million for a business with an average annual net income of $372 million. Have these bankers lost the ability to do basic math? No, but they probably have lost count of the number of members of Congress and the Obama administration who were breathing down their white collars about bonuses at Phibro: The sale was clearly a political decision, not a business call. Citigroup came in for particularly harsh denunciation for compensation owed to Phibro's most successful trader, an eccentric art collector named Andrew J. Hall, whose performance-based pay was directly related to the profits he generated for the bank. Having earned Citigroup more than $2 billion over five years, Mr. Hall was entitled by contract to collect $100 million. Hall's tiny trading group was at one point responsible for generating 10 percent of Citigroup's net income. Obviously, Citigroup needs more Andrew J. Halls, not fewer. It takes a politician to see spending $100 million to make $2 billion as a bad investment.

■ The Federal Trade Commission has embarked upon a daft assault on free speech, specifically social-media users' endorsement of products or businesses. The FTC has propounded rules that will impose fines of up to $11,000 on bloggers, Facebook users, or Twitter tweeters (for whom surely we could invent a more dignified name?) who fail to disclose financial relationships with businesses they write about. Such relationships include the receipt of merchandise gratis—meaning that online critics who receive free books or press passes to a concert will find themselves in violation of federal law if they fail to satisfy Washington's disclosure demands. Such arrangements are longstanding custom and are of particular value to small, independent publications (print or electronic) that cannot afford to pay retail prices for access to the materials they review. And it ought to go without saying that the FTC has no business policing Facebook updates, period. That the FTC would make a federal case out of such a triviality suggests that this bloated and arrogant agency is overdue for a deep cut in staff and budget. If some unemployed bureaucrats become bloggers, all the better.

■ Wait for patients to die before taking their organs, and the organs won't be as fresh. Let doctors take the organs from living patients—even if it means causing them to die a little faster than they otherwise would—and the supply of usable organs will go up. Some other patient will get a second chance at life, and the dead guy won't miss anything: What could possibly go wrong with this idea? Nothing that cannot be solved with good PR, in the judgment of the editors of *Nature*. They want to redefine death so that organs can be removed from patients who are no longer "alive in any meaningful sense." Their removal will not kill anyone, by (new) definition. The editors suggest "contained focus groups" should give this idea a test run. The proposal may backfire even on its own utilitarian terms: People will not be as willing to list themselves as donors if they fear that doctors will hasten their deaths to get their organs. But the deeper flaw is of course that of utilitarianism itself, which denies the rights and dignity of all human lives in theory and of vulnerable ones in practice. *Nature*'s recommendation would allow some people to live with new organs, but in a society with less of the nobility that inspired the search for cures in the first place.

Smart ways to live well
NOVEMBER 2009
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■ "What does good health mean to you?" the magazine *Prevention* asked Michelle Obama. "Throughout my life," she replied, "I've learned to make choices that make me happy and make sense for me. Even my husband is happier when I'm happy. . . . So I have freed myself to put me on the priority list and say, yes, I can make choices that make me happy, and it will ripple and benefit my kids, my husband, and my physical health." This is not entirely untrue. But the first lady's combination of chirpy cliché and underlying egotism—13 *me/myself/I/my*'s in three sentences—should warn her handlers to rein it in, or she may say something that will make her and, by ripples, her husband unhappy.

■ In a C-SPAN interview, Justice Antonin Scalia expressed his disappointment that "so many of the best minds in the country" are devoted to lawyering. He will see an attorney "from Podunk," a woman who is "really brilliant." And he'll wonder, "Why isn't she out inventing the automobile or, you know, doing something productive for this society? I mean, lawyers, after all, don't produce anything. They enable other people to produce and to go on with their lives efficiently and in an atmosphere of freedom. That's important"—but so are inventions and businesses and other things to lawyer about. Scalia makes a great point, as usual, although we're glad *he* didn't go into business.

■ This could take a while. The Obama administration opened talks with Iran that predictably issued in an agreement to talk more. It obviously serves Iran's interests to stretch out the negotiations and forestall new sanctions. The news from the first meeting was that Iran agreed in principle to International Atomic Energy Agency inspection of its newly discovered secret facility at Qom and to ship some of its low-enriched uranium temporarily to Russia. Since Qom reportedly isn't yet operational, the inspections there aren't a big deal. As for the diversion to Russia, it means only that Iran gives up some of

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its uranium in the short term; it eventually gets it back and could still enrich it to weapons grade. None of this matters much as long as Iran continues to enrich at Natanz (and other sites yet undiscovered?), where centrifuges spin as we—and Obama's negotiators—speak.

■ Remember the 2007 National Intelligence Estimate on Iran? It was a cruise missile fired by an intellectually dishonest State Department bureaucracy into the heart of George W. Bush's Iran policy. In a footnote, the authors very cleverly defined the term "nuclear-weapons program" to refer *only* to facilities and activities explicitly dedicated to the production of warheads; then they revealed that Iran had once operated such a program but had abandoned it in 2003. "Iran Abandoned Nuclear-Weapons Program in 2003" became a headline the world over, as the authors knew it would. Of course, even as those headlines were published, Iran was ramping up its enrichment efforts at sites that could be devoted to civilian *or* military use. It was these nominally ambiguous sites that had prompted fears in the first place—and the new information that Iran had as recently as 2003 operated an *explicit* weapons program, if presented non-tendentiously, would only have heightened them. As presented, it tricked the public into thinking the time was right to release a flock of doves in Tehran's direction. The revelation of the Qom site and further displays of Iranian bellicosity (cf. its recent missile tests) confirm the foolishness of the strategic view that motivated this NIE. But time favors the proliferator, and the price has been paid.

Youth Tax

ANYONE who has had the misfortune of reading my work over the years knows that I think youth politics is lamer than . . . than something the kids today think is really lame. What would that be? I have no idea. Grunge? Foreplay? Carbon emissions?

Well, as those of my age cohort often said, whatever. My point is that youth politics is usually the cheapest form of identity politics, a kind of secular generational astrology whereby your date of birth is the window to your soul, until you turn 30 and then suddenly you're part of the "establishment." I'm not denying that generations have a unique cultural flavor; I'm just saying that what passes for youth politics is a manufactured phenomenon exploited by young liberal activists with impressive haircuts and buzzy lingo who would have had to get an internship at the DNC like everyone else if they hadn't convinced some balding hippie with a polished pate and a ponytail that they and their peers need to "reach out" to the barely post-pubescent.

When I first came to work in Washington, Generation X was all the rage. Aging baby boomers wracked by nostalgia for their youthful activism (whether or not they had themselves been activists) embraced affirmative action for youngsters with the gusto of a midlife crisis. One of the most prominent groups of GenXers that was not entirely a franchise of the Democratic party (like "Rock the Vote") was called "Lead or Leave."

Its big issue was the deficit. It was a Perotist moment after all, and they used the perfectly sound but no less insipid observation that the "children are our future" to harangue the gerontocratic government about saddling us youths with a lot of debt. It's hard to imagine now, but Lead or Leave was profiled in numerous newsmagazines (back when newsmagazines mattered) and was actively courted by both parties. It was a particular pet of the good-government balance-the-books types, such as Sens. Paul Tsongas and Warren Rudman. I knew the group wasn't for me when I attended what I thought would be a keg party but instead encountered boxed wine and found myself holding hands in a big circle of activists ostensibly wishing with all our might for fiscal sanity.

And yet I'm starting to grow nostalgic for those hand-holding-young-Turks-for-balanced-budgets. Obama's spread-the-wealth-around agenda is often defended (though not around here) on the grounds that it is a wealth transfer from the haves to the have-nots. Yes, sure, there's some of that. But it is more properly understood as a wealth transfer from the young—and the unborn—to the old. Every deficit projection demonstrates what is incandescently obvious: Obama is taxing the productivity and wealth of tomorrow for some progressive magic beans today. For instance, if you strip all the actuarial lingo away from the health-care debate, Obama's plan is simply to force young people to overpay for health insurance in order to cover older people.

You can defend such policies as part of the social contract, but you can also oppose them on the grounds that young people are getting the shaft. Indeed, this really is the mother of all "youth issues." But in the age of Obama, youth politics begins and ends with the White House's Twitter feed.

Come sit by me on my porch, sonny, and I'll tell you how things were better back in my day.

—JONAH GOLDBERG

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■ As we noted in our last issue, the nonpartisan Law Library of Congress (LLC) has published a report affirming that Manuel Zelaya's removal from the Honduran presidency was lawful and constitutional, even if his subsequent deportation to Costa Rica was not. Notwithstanding the LLC's findings, the Obama administration still considers Zelaya's ouster an illegal "coup," and it still wants the Hugo Chávez disciple reinstalled as president. During a recent trip to Tegucigalpa, Republican senator Jim DeMint asked U.S. ambassador Hugo Llorens to justify the "coup" allegation; Llorens directed him to a report drafted by State Department legal adviser Harold Koh. The problem is, that report has not been released. "I have asked to see Mr. Koh's report before and since my trip," DeMint wrote in the *Wall Street Journal*, "but all requests to publicly disclose it have been denied." It's a funny way to go about vindicating the rule of law.

■ A few months after the ruling party of Pres. Cristina Kirchner took a drubbing in congressional elections, Argentina enacted legislation that will significantly expand government regulation of the country's broadcast-media outlets. The timing was not coincidental: Kirchner has complained that negative press coverage contributed to her electoral setbacks over the summer, and the new Argentine congress takes office in December. The chief target of the law is Grupo Clarín, Argentina's biggest media company, which has exposed and attacked government corruption in the pages of its leading daily, *Clarín*. While the left-wing Kirchner is not a full-blown Chávez-style autocrat, both she and her husband, Néstor, Argentina's president from 2003 to 2007, have shown troubling anti-democratic tendencies. The media-regulation bill reflects a contempt for press freedom. Come December, the new Argentine congress should seek to reverse it.

EDUARDO DI BAIA/AP

■ The handful of politicians who drive the European Union in Brussels have long been trying to create a single state out of 27 countries. The Lisbon Treaty is designed to give the EU a legal personality. If ordinary people everywhere were asked for their opinion, this treaty would be rejected by wide margins. The Irish were exceptional in having a constitution that mandated a referendum on the treaty, and the voters said No. That would never do for the Brussels oligarchs. With a straight face, they obliged the Irish to hold another referendum. Duly bribed and browbeaten, the Irish have now come up with the Yes that Brussels hopes will throw a veil of legitimacy over what is at heart a power grab. Czech president Václav Klaus and the British Tories still have reservations, but the Lisbon Treaty looks set to be certified. In which case, the people of Europe will belong to a bloc, a main feature of which will be a president chosen for them by the 27 heads of state in a process of horse-trading behind closed doors, someone for whom they never asked, and whom they can neither vote for nor dismiss. Perhaps it was too much to hope that little Ireland would stand firm against Brussels, but one of the world's most famous poems is about the fear of surrendering Irish Home Rule and independence: "Was it for this the wild geese spread / The grey wing upon every tide; / For this that all that blood was shed," to conclude, "Romantic Ireland's dead and gone." Yeats should be living at this hour.

■ Hugo Chávez and Moammar Qaddafi, generalissimo and colonelissimo of Venezuela and Libya respectively, have revealed that they are soulmates. In Libya recently, Chávez was awarded a medal commemorating the "40th Anniversary of the Great Revolution of Al Fateh," in other words, Qaddafi's seizure of power. During a visit to Venezuela, where a score of Africans and South Americans—most of them top-drawer dictators—were assembled, Qaddafi received a gold-plated replica of a sword that had once belonged to Simón Bolívar. These gewgaws should brighten up both men's uniforms. Otherwise what they have in common is the sponsorship of terror, which they believe ought to be defined as "the legitimate struggle of the people for liberty and self-determination."

■ MEMRI turns up a little gem of jihadist insanity. An imam in Sweden was complaining that a small number of Jews were able to oppress a much larger number of Arabs, and an al-Arabiya TV broadcast was documenting his tirade. The Arabic subtitles read, "If we were to line the Jews up in one row and spit on them, they would drown." Nice. However, some desktop experimentation suggests that the holy man's arithmetic is off by several orders of magnitude. It's about a hundred spits to the pint; so if all the world's 300 million Arabs were to follow the Rev. Al-Zarad's suggestion, the volume expectorated would be only 375,000 gallons—nowhere near enough to fill an Olympic-size swimming pool (660,000 gallons). Not just crazy, but innumerate. Ptui!—we spit.

■ Multiculturalism displays many ironies—often where Islam meets homosexuality, and some of the people we are required to respect notably fail to respect others. Créteil, a suburb of Paris, has an amateur soccer league, among whose teams are Bebel, most of whose players are Muslims, and Paris Foot Gay (*sic*, in the French-language reports), with an entirely homosexual roster. The teams were scheduled to play a match, but Bebel sent PFG an e-mail the day before the fixture, calling off the game "in keeping with the principles of the team." *Quel outrage!* Legal threats were made, the *fonctionnaires* of French soccerdom swung into action, and the news as we go to press is that the differently religioned and the differently oriented will meet on the field of sport after all. Let us hope that the stadium wall is robust enough not to be pushed over.

■ We all know that jihadists believe that pious Muslim males will be rewarded with 72 virgins in paradise. What will those virgins actually be like, though? Saudi cleric Sheikh Muhammad al-Munajid has been telling us on Saudi Arabia's Al-Majd TV. Main point: They will be white. Very white. "Allah said that the black-eyed virgins are beautiful white young women . . . whose skin is so delicate and bright that it causes confusion. . . . They are like precious gems and pearls in their splendor, their clarity, their purity, and their whiteness." We confess to some

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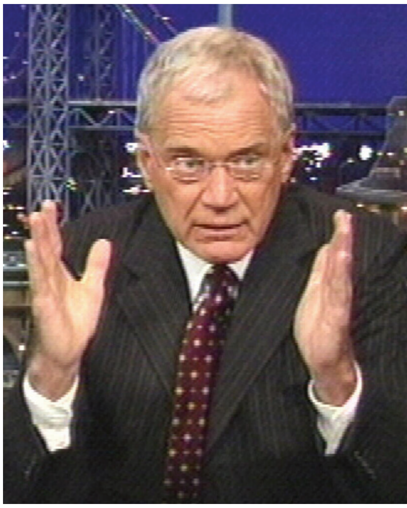
slight confusion ourselves. Is there a separate afterlife for pious but unwhite Muslim females? If not, where do their souls go? If so, what's *their* reward? Perhaps we all get new bodies in paradise, with the gals guaranteed to get white ones. Another possibility is that Sheikh Muhammad al-Munajid is a gibbering lunatic. This is, after all, the man who last year issued a fatwa against Mickey Mouse, whom he described as "one of Satan's soldiers."

■ In May this year the new administration got the U.S. elected to the United Nations Human Rights Council. The first fruits of that victory are now on display in the form of a Resolution on Freedom of Opinion and Expression jointly hammered out by the representatives of the United States and Egypt and adopted by the Council without a vote on October 2. The resolution is a masterpiece of ambiguity. It "recognizes the positive contribution that the exercise of the right to freedom of expression . . . can make to the fight against racism, racial discrimination, xenophobia and related intolerance." So freedom of speech is a jolly good thing when employed to bolster political correctness. What about those Mohammed cartoons, though? The resolution deplores "negative racial and religious stereotyping," and "condemns . . . any advocacy of national, racial or religious hatred . . . and urges States to take effective measures . . . to address and combat such incidents." Looks like jail for those cartoonists, under the authority of a U.N. Resolution cooked up by our man at Turtle Bay.

■ In the Canadian parliament, Mark Steyn and Ezra Levant testified against Section 13 of the Canadian Human Rights Act. This is the section that allows apparatchiks—a nicer word is unfitting—to investigate and punish online "hate speech." Both Steyn and Levant were hauled up for "hate speech" when they warned against a free society's capitulating to radical Islam. In his testimony before parliament, Steyn said, "Under Section 13, citizens are subject to lifetime speech bans—not in the Soviet Union, not in Saudi Arabia, but in Canada." And he concluded, "Section 13's underlying philosophy is incompatible with a free society; its effect is entirely irrelevant to the Queen's peace; and its use by agents of [Canada's Human Rights Commission] has been corrupted and diseased beyond salvation." Both Steyn and Levant were magnificent in their defenses of free speech. They were informed, measured, wise—and stylish. You can understand why the enemies of freedom would want to censor them.

■ Dudley Do-Right would be proud. When a policeman outside Windsor, Ontario, saw a tractor-trailer driver smoking a cigarette alone in his cab, he sprang into action, pulling the miscreant over and writing a ticket for a fine of $305 Canadian. The driver's offense: violating the Smoke-Free Ontario Act, which bans smoking in enclosed workplaces, including vehicles. Officials interviewed after the incident all vigorously defended the law, though they seemed unsure about what purpose it is meant to serve (a safety measure to avoid distraction, a protection for other drivers who might later use the same truck, an encouragement to quit) and whether it applies to truckers who own their vehicles. To make things even more confusing, trucks that are driven in more than one province are apparently governed by a separate federal law that allows smoking in designated vehicles, though even this is subject to dispute. Such are the results when a nanny province meets a bureaucratic state. We suggest a simple solution: Let drivers light up, if they wish, and let Canada's numerous busybodies lighten up.

■ Rush Limbaugh is part of a group bidding to buy the St. Louis Rams, a professional football team. Many liberals have reacted with outrage, charging that Limbaugh is "racist" and therefore unfit to be part-owner of a team, or to do much else in life. Al Sharpton is leading the anti-Rush push, or trying to. The NFL Players Association (the union) is officially against Rush. There seems to be a consensus that nice and good people must stop Rush. The racism charge, of course, is a smear. But it is probably the most potent kind of smear there is in our country. In other Rush news, he has been selected as a judge in next year's Miss America contest. The Left has long sought to banish Limbaugh to the margins of American life; the White House itself was leading the effort earlier this year; and even a few conservatives have played along. We will see about the NFL team. But the effort seems not to be working, thankfully.



CBS/AP

■ When lust meets power, favoritism ensues (consult the lives of Louis XIV, the twelve Caesars, and the first Neanderthal clan leader). David Letterman's entanglement in a blackmail scheme—the live-in boyfriend of one of his assistant/mistresses allegedly tried to shake him down—is thus hardly stop-press news. It is interesting to note how common royal behavior patterns are in the entertainment industry; the stars really do think they are important, and so long as we agree, they will keep thinking so. Government sometimes rightly flags our bad habits, but generally the market is the best escape hatch, and disciplinary tool: Anyone who would not want to work alongside a predatory boss and his compliant underlings can try Conan or Leno, and if Letterman has to do too many on-air apologies, his monologues and his ratings will suffer. Don't expect the problem to go away, though, so long as there is hierarchy and desire.

■ Colonialism and its aftermath have been themes of postmodern literature, generating both masterpieces and literary prizes (sometimes the prizes have gone to masters, e.g., V. S. Naipaul). The especially brutish form of colonialism under which Herta Müller, 56, winner of this year's Nobel Prize in Literature, grew up was Communism. She was doubly hobbled, belonging to a minority (ethnic Germans in Romania), and living under a despot (Nicolae Ceausescu) who presided over a regime grim even by the standards of Eastern Europe. Müller fell foul of the secret police in her twenties, and her first collection of short stories was censored. In time she moved to West Germany. The Nobel Prize in Literature has more to do with trendology than any coherent standard of excellence. But not all trends are bad. We look forward to making Müller's further acquaintance.

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■ Encounter books, under the leadership of the idea- and good idea–filled Roger Kimball, is now embarked on a project called “Encounter Broadsides”: “a series of pamphlet-like essays,” says the house, that will reflect “an 18th-century sense of political urgency and rhetorical wit.” Models are *Common Sense* and the *Federalist* Papers. The problems to be addressed, of course, are all our own. We will hear from John Fund on the threat to electoral integrity of ACORN; from Andrew C. McCarthy on the politicization of the Justice Department; and so on. Encounter promises “pocket-sized literary cannonades on today’s most important issues.” We are to read them in one sitting, and “come away knowing the best we can hope for and the worst we must fear.” Bravo.

■ The golden road to unlimited devotion is paved with taxpayer dollars. Last year, surviving members of the Grateful Dead donated the band’s archives—including business records, flyers, posters, stage props, and “an extensive collection of Deadhead fan mail and gifts”—to UC Santa Cruz. Now those materials are being digitized and put online, to (among other things) “extend the reach of the Grateful Dead Archive to the academic research community.” And you’re paying the $615,175 cost of this vital blow for scholarship, through a grant by the federal government’s Institute of Museum and Library Services. Even conceding the dubious proposition that underwriting the enshrinement of 1960s hippie relics is a proper function of government, why waste it on a band that’s already as obsessively documented as the Dead? Why not, say, the sadly neglected Strawberry Alarm Clock, or the pioneering Electric Prunes? More to the point, why fund this project out of general government revenues instead of marketing proceeds, contributions from the band’s legion of fanatical fans, or, at the very least, a targeted tax on rolling papers and Doritos?

AT WAR

Facing Facts in Afghanistan

Gen. Stanley McChrystal, who’s not the least bit showy, makes an unlikely MacArthur. But that’s the role he’s been cast in as President Obama reconsiders the Afghanistan strategy he announced in March. McChrystal’s mistake has been to call—in an assessment leaked to the *Washington Post*, in a *60 Minutes* interview, and in a talk at a London think tank—for properly resourcing what everyone believed was the strategy of the United States government to fight a war of counterinsurgency against the Taliban and associated militants in Afghanistan.

Until Obama decided to reconsider. The blame in this flare-up in civil-military relations goes mostly to Obama, who hired McChrystal to implement the strategy and spoke of it in stalwart terms as late as August. He decided to throw it up in the air when confronted with McChrystal’s politically inconvenient request for more troops. Obama’s base has suddenly soured on the Afghan War it used as a club with which to beat President Bush for years. The likes of Frank Rich and E. J. Dionne, who once declared Afghanistan the central front in the War on Terror and demanded more resources for it, now find it much less important than further nationalizing American health care and warn BHO that he must avoid the fate of LBJ.

LEWIS WHYLD/PA

Obama has told congressional leaders that he won’t embrace the most disastrous of the alternative strategies: beginning to draw down our troops and waging a counterterrorist campaign targeting top terrorist leaders in Afghanistan and Pakistan from the air. This would instantly hand the Taliban much of the south, likely cause the collapse of the Kabul government, and create a Hobbesian nightmare—a civil war and fleeing refugees—that would destabilize Pakistan. Al-Qaeda would be strengthened on both sides of the Durand line. General McChrystal spoke the truth when he said in London that the counterterrorism option would create “Chaos-istan.”

If Obama is not going to change strategies wholesale, that leaves the question whether he is going to give McChrystal—who wants at least 40,000 additional troops—the forces he says he needs. The temptation will be to try to economize, which is what Sen. Carl Levin advocates. Levin wants only to expand our training of the Afghan security forces.

This unworkable approach has already been tried. The commanding general in Afghanistan whom Obama fired, Gen. David McKiernan, tried to kill enough enemy leaders to make a difference, to hold off the Taliban in an essentially defensive approach, and to train up the Afghan army to take on the fight. This tack was and is failing, just as it failed under Gen. George Casey in Iraq for years.

McChrystal’s request shouldn’t be finessed or bid down. This isn’t a negotiation in the Senate Finance Committee. If we are to pursue a proper counterinsurgency strategy and not just pay it lip service, McChrystal must have enough troops to achieve a decisive effect. Anything short of that is folly. Our troops will continue to make heartbreaking sacrifices—but without the desired result. In Iraq, we had troops patrolling Baghdad but couldn’t secure the city until we had enough forces to confront the enemy in Baghdad’s surrounding belts. With enough troops in Iraq, focused on a true counterinsurgency mission, we could squeeze al-Qaeda, the Sunni insurgents, and the Shiite militia out of neighborhoods, then out of

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About Your Professor

Professor J. Rufus Fears is David Ross Boyd Professor of Classics at the University of Oklahoma. He earned his Ph.D. from Harvard University and has written four books and more than 100 articles and reviews. Professor Fears has been recognized for outstanding teaching on 24 occasions. In 2006, the Oklahoma Foundation for Excellence awarded him its medal for Excellence in College and University Teaching.

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cities, then out of entire regions of the country, until they were isolated in a few areas and no longer a serious threat to the government of Iraq (or to our interests).

Comparisons to Vietnam inevitably are in the air. There are two lessons Obama should learn from Vietnam: Only a counterinsurgency campaign that secures the population can defeat a guerrilla force, and half-measures, no matter how seductive in the political moment, will fail on the ground and waste domestic support for the war. In terms of President Bush and Iraq, Obama has two choices. He can be the Bush of 2005 and 2006, who stuck with a failing strategy despite all the evidence it wasn't working. Or he can be the Bush of 2007 and 2008, who gave his commanders what they needed to succeed. Obama's choice is a momentous one, but it shouldn't be hard.

HEALTH CARE

An Expensive Way to Die

Max Baucus, the chairman of the Senate Finance Committee, had his staff design a bill to exploit every oddity of the Congressional Budget Office's methodology, so that the bill would be found to "save money." The CBO, constrained by its peculiar rules, has now found that the bill will, indeed, net $81 billion over ten years for the federal government. But those savings will be realized only within the CBO's model. In the real world, enactment of Baucus's bill would make federal deficits bigger by hundreds of billions of dollars. Only in the CBO model, for example, will Congress ignore the screams of doctors protesting sharp cuts in Medicare payment rates.

ALFR. NOBEL
NAT. MDCCC XXXIII
OB. MDCCC XCVI

The bill is enormously expensive and goes far beyond its advertised $829 billion cost to the federal government. Baucus would tax employers for hiring, insurers for offering plans that he deems too expensive, and medical-device makers for staying in business. His legislation also mandates increased spending by states, businesses, and individuals. Its regulations will surely increase insurance premiums for most people; there is no way to require that insurers charge sick people and healthy people the same rate while avoiding that outcome. Prohibiting insurers from offering no-frills coverage will also raise prices. The legislation will require insurers to offer an expensive product that a lot of people will not want to buy. So Baucus forces them to buy it or pay a fine.

Even the bill's few spending cuts are perverse. The bill kneecaps the successful Medicare Advantage program, in which senior citizens are allowed to get their benefits from private insurers. Baucus would cut the insurers' payment rates, forcing them to drop many of their customers even if they are outperforming the federal government.

For all of these exertions, the bill increases the percentage of Americans with insurance from 83 to 94 (and even that is disputed). There are better, cheaper, more liberty-respecting ways to reform health care. Defeating Baucus's bill is a precondition for their consideration.

OBAMA'S NOBEL

A Fitting Prize

It was almost inevitable, the awarding of the Nobel Peace Prize to Barack Obama. As "the world" hated President George W. Bush, "the world" loves President Obama. By "the world," we mean the editors of *Le Monde*, *Der Spiegel*, and the *Guardian*. The faculty at Brown University. The secretariat of the United Nations. And so on.

Very much counting as "the world" is the Nobel Peace Prize committee. And they are well pleased with President Obama. They appreciate him for his repudiation of all things Bush: for his scotching of missile defense in Eastern Europe; for the "daylight" he has put between the United States and Israel; for his friendliness with Chávez; for his determination to negotiate with Tehran, apparently no matter what; for his deference to the U.N.; etc., etc.

President Obama gave a Medal of Freedom to Mary Robinson, the U.N. official who presided over the Durban conference, that orgy of anti-Americanism and anti-Semitism. President Bush gave a Medal of Freedom to Oscar Biscet, the Afro-Cuban political prisoner. One kind of president is the type to win the Nobel Prize; the other is not.

Our Declaration of Independence speaks of "a decent respect to the opinions of mankind." A decent respect is not a need for approval. Besides, how do you define "mankind"? Scandinavian leftists, yes, but also grateful people in Iraq, free of Saddam Hussein.

Many on the left—and a few on the right—have been saying that conservatives and Republicans are unpatriotic, un-American, not to rejoice in Obama's peace prize. This is misguided. Americans are within their rights to worry about why Obama won the prize, and what it might bode for the future: Being president sometimes means displeasing the Nobel Committee. Will the peace laureate be willing to incur such displeasure? National Review once quipped, editorially, that the peace prize should go, every year, to the U.S. military: No. 1 guarantor of the world's peace.

Alfred Nobel was no fool. He wanted his prize to go to "champions of peace," men and women who genuinely contributed to peace in the world. He deplored the "absurd and futile efforts of windbags who are capable of thwarting the best of aims." Can Barack Obama make a true contribution to peace, as Ronald Reagan did (and there was a man who could never win the peace prize)? If so, he might earn his prize, which, as given—and when given—is basically a sad joke.

Editor's Note: The next issue of National Review will appear in three weeks.

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Stauer GIA
Graduate Gemologist

This colossal stone of more than 45 carats is enlarged to show details.

World's Most Famous Diamond Found Inside Toaster

Stauer introduces a scientifically created tribute to the legendary Hope Diamond!

It's a wonder that the *Hope Diamond* survived the 20th century. In the hands of eccentric millionaire heiress Evalyn Walsh McLean, the 45½ carat deep blue diamond was treated more like a fancy plaything than a precious gem. McLean wore it on rollercoasters, while swimming and when doing yard work. She hid it underneath couch cushions and from time to time, even kept it inside her toaster!

These days, the *Hope Diamond* is the superstar of the National Gem Collection at the Smithsonian's Museum of Natural History. And even though the spectacular blue stone attracts millions of visitors a year, it looks lonely stuck behind that 3-inch bulletproof glass. So we decided to set it free.

Science recreates a legend of luxury. We challenged our gemologists to reimagine the largest and most perfect blue diamond in existence. They came back with the magnificent ***Eternal Hope Necklace***, a lab-created beauty inspired by the $350 million original. Using the legendary *Hope* as their guide, they carefully cut lab-created blue spinel to match the color, shape and geometric angles of the world famous stone. And, because of our advanced science, our lab-created stone's clarity is superior to the original.

The *Hope Diamond* remains one of the world's most unattainable treasures, but we've set the price of our ***Eternal Hope Necklace*** at an unbelievably accessible $195!

When being called a "jewel thief" is a badge of honor. The final product is so convincing that it will surely have museum curators double checking their vault. Our update keeps the allure of the original, the magic that captivated Maharajahs, kings and queens.

The custom-cut stone is brilliant cobalt blue lab-created spinel. Spinels are considered the greatest impostors in gemstone history. One of the most valuable gemstones in the world, the *Black Prince* in the British Crown Jewels, was only recently discovered to be a spinel. They are favored by jewelers because of their brilliance and hardness. And the structure of a spinel is similar to a diamond—they both have the same high symmetry (4/m bar 3 2/m).

Don't forget the eye-catching 6 ctw Eternal Hope Ring.

Add the world's most famous rock band. Enhance the look of your stunning Necklace with the ***Eternal Hope Ring***, a gorgeous ring version of the pendant stone, prong-set on a .925 sterling silver band. Flanked by 10 dazzling, lab-created Diamond*Aura*®, the Ring perfectly complements the Pendant.

Try the ***Eternal Hope Necklace*** for 30 days. If for any reason you are not satisfied with your purchase, simply return it to us for a full refund of the purchase price. Don't miss this chance to claim your own historic piece of Hope!

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Amish mantle and miracle invention help home heat bills hit rock bottom

Miracle heaters being given away free with orders for real Amish fireplace mantles to announce the invention that helps slash heat bills, but Amish craftsmen under strain of early Christmas rush force household limit of 2

Save money: only uses about 9¢ electric an hour; so turn down your thermostat and never be cold again

By Mark Woods
Universal Media Syndicate

GENUINE AMISH MANTLES MADE IN THE USA: Everyone wants to save money on heat bills this winter, so entire Amish communities are working from the crack of dawn to finish. These fine real wood Amish made fireplace mantles are built to last forever. The oak mantle is a real steal at just two hundred ninety-eight dollars because all those who beat the order deadline by calling the National Hotline at 1-866-815-7004 to order the fireplace mantles are actually getting the imported hi-tech *Fireless* Flame HEAT SURGE miracle heaters for free.

(UMS) Everyone hates high heat bills. But we're all sick and tired of simply turning down the thermostat and then being cold.

Well now, the popular HEAT SURGE® miracle heaters are actually being given away free to the general public for the next 48 hours starting at precisely 8:00 a.m. today.

The only thing readers have to do is call the National Distribution Hotline before the 48-hour deadline with their order for the handmade Amish Fireplace Mantle. Everyone who does is instantly being awarded the miracle heater absolutely free.

This is all happening to announce the HEAT SURGE Roll-n-Glow® Fireplace which actually rolls from room-to-room so you can turn down your thermostat and take the heat with you anywhere. That way, everyone who gets them first can immediately start saving on their heat bills.

Just in time for winter weather, portable Amish encased fireplaces are being delivered directly to the doors of all those who beat the deadline.

These remarkable fireplaces are being called a miracle because they have what's being called the *Fireless* Flame™ patented technology that gives you the peaceful flicker of a real fire but without any flames, fumes, smells, ashes or mess. Everyone is getting them because they require no chimney and no vent. You just plug them in.

The *Fireless* Flame looks so real it amazes everybody because it has no real fire. So what's the catch? Well, soft spoken Amish craftsmen who take their time hand building the mantles have a process that forces a strict household limit of 2 to keep up with orders.

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JUST ANNOUNCED: The Heat Surge miracle fireplace has earned the prestigious Good Housekeeping Seal. The product has earned the Seal after evaluation by the Good Housekeeping Research Institute.

"We can barely keep up ever since we started giving heaters away free. With winter just around the corner, everyone's trying to get them. Amish craftsmen are working their fingers to the bone to be sure everyone gets their delivery in time for Christmas," confirms Frederick Miller, National Shipping Director.

"These portable Roll-n-Glow Fireplaces are the latest home decorating sensation. They actually give you a beautifully redecorated room while they quickly heat from wall to wall. It's the best way to dress up every room, stay really warm and slash your heat bills all at the same time," says Josette Holland, Home Makeover Expert.

And here's the best part. Readers who beat the 48-hour order deadline are getting their imported hi-tech miracle heaters free when encased in the Amish built real wood fireplace mantles. The mantles are being handmade in the USA right in the heart of Amish country where they are beautifully hand-rubbed, stained and varnished.

You just can't find custom made Amish mantles like this in the national chain stores. That makes the oak mantle a real steal for just two hundred ninety-eight dollars since the entire cost of the miracle heater is free.

This free giveaway is the best way to slash heating bills and stay warm this fall and winter. The HEAT SURGE Roll-n-Glow Fireplace gives you zone heating and all the beauty and warmth of a built-in fireplace but rolls from room-to-room so it can also

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HEAT SURGE™ *Fireless* Flame™

How It Works: The HEAT SURGE miracle heater is a work of engineering genius from the China coast so advanced, you simply plug it into any standard outlet. It uses only about 9¢ of electric an hour on the standard setting. Yet, it produces up to an amazing 5,119 BTU's on the high setting. So watch out, a powerful on board hi-tech heat turbine silently forces hot air out into the room from the vent so you feel the bone soothing heat instantly. It even has certification of Underwriters Laboratories coveted UL listing. It also comes with a limited full year replacement or money back warranty less shipping plus a 30-Day Satisfaction Guarantee. OH and FL resident transactions require the remittance of applicable sales tax. Sorry no shipments to MA residents.

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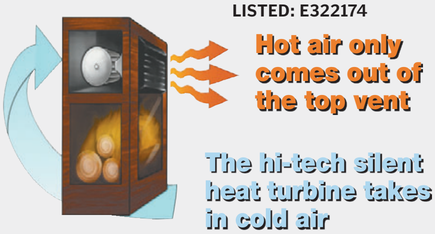
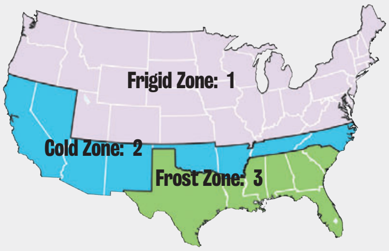

Hot air only comes out of the top vent
The hi-tech silent heat turbine takes in cold air

How to get 2 free heaters

The National Toll Free Hotlines are now open. All those who beat the 48-hour order deadline to cover the cost of the Amish made Fireplace Mantle and shipping get the HEAT SURGE miracle heater free.

A strict limit of 2 per household has been imposed. Since some home woodworkers want to build their own mantle piece, they are letting people get the imported miracle heater alone for just $249. Or, with the Amish made mantle you get the miracle heater free.

Use the map below to locate the weather zone you live in and call the Hotline number for your zone.



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ON THEIR WAY: Early Christmas orders have turned country roads into pipelines to the big city delivery system. Everybody wants a fireplace that comes fully assembled with a handmade Amish mantle in oak or cherry finish and gets delivered by truck right to your door. All you do is plug it in.

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FOR HEAT SURGE, LLC 8000 FREEDOM AVE., N. CANTON OH 44720

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save you a ton of money on heating bills.

Even people in California and Florida are flocking to get them so they may never have to turn on their furnace all winter. And since it uses only about 9 cents of electric an hour on the standard setting, the potential savings are absolutely incredible.

"We are making sure no one gets left out, but you better hurry because entire communities of Amish craftsmen are straining to keep up with demands. For now, we are staying out of the large national retail stores in order to let readers have two per household just as long as they call before the deadline," confirms Miller.

It's a really smart decision to get two right now because for only the next 48 hours you get both miracle heaters free. That's like putting five hundred bucks right in your pocket and you can save even more money on your monthly heating bills.

"Everyone's calling to get one but those who are getting their Christmas shopping done early are surprising the whole family by getting two. So when lines are busy keep trying or log onto amishfireplaces.com. We promise to get to every call. Then we can have a delivery truck out to your door right away with your beautiful Heat Surge Roll-n-Glow Fireplace," Miller said.

"You'll instantly feel bone soothing heat in any room. You will never have to be cold again," he said. ■

On the worldwide web:
www.amishfireplaces.com

Rolls anywhere to throw an instant heat wave with no chimney, no vents, no wood and no smoke

EASILY ROLLS ANYWHERE: This is the portable Roll-n-Glow® Fireplace that easily rolls from bedroom to living room to keep you warm. No vents, no chimney and no tools. Just plug it in.

SAVES ON BILLS: Everyone can get low bills and stay warm and cozy. The Roll-n-Glow Fireplace saves a ton of money and makes your front room look like a million bucks.

SAFE FLAME: The *Fireless* Flame looks so real it fools everyone but there is no real fire. That makes the flame window safe to the touch under the watchful eye of a parent. It's where the kids will play and the cat and dog will sleep.

FREE: Get this $249 miracle heater free. It is being given away free to all who beat the 48-hour order deadline for your choice of the oak or cherry finish Amish Mantles. The free heater comes already encased.

A Vision Shall Guide Them?

The strategic risks of President Obama's call for nuclear disarmament

BY KEITH B. PAYNE

In 1983, Barack Obama, then a student at Columbia University, wrote of his vision of a "nuclear free world." Twenty-six years later, on Sept. 23, 2009, Pres. Barack Obama delivered a major speech to the United Nations General Assembly in which he outlined, in his own words, "a comprehensive agenda to seek the goal of a world without nuclear weapons." That agenda combines nuclear nonproliferation and nuclear disarmament into a single pillar of U.S. foreign policy. On the following day, at a meeting of the United Nations Security Council, President Obama endorsed a Security Council resolution (1887) that similarly wraps the goal of nuclear disarmament in the language of and enthusiasm for nuclear nonproliferation.

The merger of nuclear disarmament and nuclear nonproliferation, and their adoption as a unified priority of U.S. security policy, is based on a narrative and an underlying logic that have emerged over the past decade. It may seem complex, but its basic points are simple: The greatest threat to the United States is nuclear terrorism; the best way of countering nuclear terrorism is to prevent the spread of nuclear weapons and thereby reduce their availability to terrorists; consequently, we must maximize nonproliferation efforts; and doing so requires that we lead the world by example toward nuclear disarmament.

The usual saying that goes along with this narrative is that the United States cannot credibly ask others to reject nuclear weapons if it continues to hold on to its own. The underlying presumption is that if the United States takes the lead in nuclear disarmament, other nations will follow, and nuclear nonproliferation efforts will succeed. As a result, terrorists will be denied the nuclear weapons they seek, and U.S. security will be safeguarded. In contrast, if we continue to pursue nuclear capabilities, proliferation will soar, and our worst fears will be realized.

The bottom line of this narrative and logic is that the U.S. nuclear arsenal increases U.S. insecurity because its continued existence leads others to see value in nuclear weapons and to seek their own. Only by offering to give up our own nuclear weapons, it is said, can we have the moral authority and credibility necessary to unite the world in the necessary pursuit of nonproliferation. A complementary line of reasoning is that our nuclear weapons are no longer of much use because they cannot deter the terrorist enemy, who aspires to a violent death. Since terrorists are the main threat the U.S. faces today, giving up nuclear weapons holds little potential downside.

The logic of this narrative is elegant. Once nonproliferation is accepted as the best solution to our greatest threat, and the U.S. nuclear arsenal is cursed as the roadblock to successful nonproliferation, this bottom line becomes the inevitable conclusion.

Wrapping nuclear disarmament together with nonproliferation and counterterrorism in this fashion also has several rhetorical advantages. First, it adds a national-security rationale to the case for nuclear disarmament. Advocates no longer appear disdainful of U.S. security interests; instead, they seem to be addressing our greatest contemporary security threat, unburdened by Cold War notions of nuclear deterrence. It also allows endless public moralizing about the supposed hypocrisy of preserving nuclear weapons while asking others to forgo them. Finally, the argument is so simple that it can be repeated concisely and absorbed easily enough to become the unquestioned truth for many.

The problem, however, in elevating this disarmament narrative to be the lodestar for U.S. policy is that most of its main points are half-truths or complete fallacies. To begin with, even if death-loving terrorists are not themselves directly susceptible to nuclear deterrence, the state sponsors who enable them may be. The Soviet Union, for example, appears to have been successful in applying high-level military threats against Iran in 1985 to bring pressure on the PLO and Hezbollah in Lebanon.

In addition, terrorists are not the only security threat confronting the United States and its allies. While fears of a nuclear attack are no longer centered on a single opponent, as they were in the days of the Soviet Union, states that are hostile and armed with nuclear weapons have not disappeared since the end of the Cold

Mr. Payne is head of the department of defense and strategic studies at Missouri State University and a member of the Congressional Commission on the Strategic Posture of the United States. His most recent book is The Great American Gamble: Deterrence Theory and Practice From the Cold War to the 21st Century *(2008).*

ROMAN GENN

War; in fact, their numbers have grown. Despite what the nuclear-disarmament narrative suggests, the terrorist challenge has not replaced these more traditional threats. The U.S. nuclear arsenal is as important as it ever was in deterring state-launched nuclear attacks, as the daily revelations about North Korean and Iranian nuclear and missile programs demonstrate. It is more than imprudent to base the direction of U.S. strategic policies on the speculative hope that nuclear weapons no longer serve an essential deterrent purpose.

In fact, even if all enemies and potential enemies of the United States miraculously gave up their nuclear weapons, the United States would still need to maintain a nuclear deterrent arsenal. Why? Because some enemies reportedly retain other types of weapons of mass destruction (WMD), such as chemical and biological weapons, that could inflict enormous civilian casualties. The United States and its allies have already given up these other forms of WMD. If we also take nuclear deterrence off the table, we may, as Gen. Paul Fouilland, commander of the French Strategic Air Forces, has observed, "give a green light" to chemical and biological threats. (During the Clinton administration, U.S. officials insisted that the United States could afford to give up chemical weapons precisely because we would retain nuclear weapons for deterrence.) The continuing threat posed by chemical and biological weapons is a fatal flaw in the logic of the nuclear-disarmament narrative, one that is all but ignored by its proponents.

Second, the presumption that U.S. movement toward nuclear disarmament will deliver nonproliferation success is a fantasy. On the contrary, the U.S. nuclear arsenal has itself been the single most important tool for nonproliferation in history, and dismantling it would be a huge setback. America's nuclear arms, in combination with treaty commitments that connect them to the security of our allies, are what permits many of those allies to remain non-nuclear. The United States offers this "extended deterrent" (or "nuclear umbrella") coverage to over 30 countries, and if that coverage did not exist, some of them would seek nuclear deterrents of their own.

This positive linkage of the U.S. "nuclear umbrella" to nonproliferation is not speculative. Key allies with dangerous neighbors remind us of it regularly, including countries such as Japan that could easily go nuclear if they felt the need. A 2009 report by an impressive list of Japanese academics and former senior military officials observes that as long as "the U.S. extended deterrence remains credible, Japan would have no intention to build an independent nuclear force, even though it may be assumed to possess the necessary economic and technological wherewithal." For anyone who truly cares about nuclear nonproliferation, such statements should be a bright yellow flag of caution regarding the U.S. push for nuclear zero. French president Nicolas Sarkozy recently chided the U.S. in this regard in typically Gallic terms, reminding us that "we live in a real world, not a virtual one."

Third, there is a stunning lack of evidence supporting the fundamental assumption of the disarmament narrative: that the world will unite with us in support of nonproliferation only if we become a model of enthusiasm for disarmament. This, again, is a hope masquerading as a reasoned expectation. In fact, most of the available evidence suggests just the opposite. Some countries, including Russia, appear to see the U.S. push for nuclear disarmament as a trick to rid them of the weapons they deem necessary for their security. In their view, a world without nuclear weapons would be a world dominated by the great and enduring U.S. superiority in conventional military capabilities.

The irony here is that our superiority in conventional forces makes our nuclear weapons seem less important, but it motivates other nations to seek or retain nuclear weapons and other WMD. This is precisely the reason that former Soviet president Mikhail Gorbachev said recently that talk of nuclear disarmament is "just rhetorical" if it not accompanied by restrictions on U.S. conventional capabilities. Here again, reality presents a gaping hole in the popular nuclear-disarmament narrative. Even if it were true that nuclear weapons no longer have critical value for America, it would not follow that they have none for other countries.

The Obama administration's push for nuclear disarmament has a seductive intellectual and political appeal, but its main points are in contradiction with reality. And when a security policy is built on fantasy, someone usually gets hurt. **NR**

Every-Which-Way Joe

The vice president's plan for Afghanistan is only his latest exercise in folly and self-contradiction

BY JAMIE M. FLY

WRITING in the July/August 2007 issue of *Foreign Affairs*, then-candidate Barack Obama outlined his foreign-policy views. He wrote that after the financial and human cost of the Iraq War, "many Americans may be tempted to turn inward and cede our leadership in world affairs. But this is a mistake we must not make. America cannot meet the threats of this century alone, and the world cannot meet them without America."

He then harkened back to three Democratic presidents:

> Such leadership demands that we retrieve a fundamental insight of Roosevelt, Truman, and Kennedy—one that is truer now than ever before: the security and well-being of each and every American depend on the security and well-being of those who live beyond our borders.

This statement may seem somewhat surprising given that Democrats spent much of the Bush presidency questioning President Bush's interventions abroad, and that even as Senator Obama wrote these words he and many in his party were advocating the abandonment of the Iraqi people to sectarian bloodshed.

Democratic foreign policy since the end of the Cold War has been characterized by this dichotomy between U.S. international engagement and a more restrictive view of America's international obligations. A majority of Democratic senators voted against the 1991 Persian Gulf War. The Clinton administration

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RON EDMONDS/AP

intervened in Bosnia, Haiti, and Kosovo, repeatedly bombed Iraq, and went after Osama bin Laden with cruise missiles. In the wake of the September 11 attacks, a majority of Democratic senators supported the Iraq War, but the Left turned against the war and today is lobbying President Obama to pull out of Afghanistan.

This Democratic uncertainty about America's role in the world and its ability to effect change overseas is apparent once again as President Obama's national-security team discusses the way ahead in Afghanistan. Gen. Stanley McChrystal has submitted an assessment stating that, without additional forces, the U.S. effort in Afghanistan "will likely result in failure."

The chief opponent of General McChrystal and the military brass is an unlikely one: Vice President Joe Biden. Unlikely because for much of the last eight years, Biden criticized Vice President Cheney for his supposedly oversized role in policymaking, especially on national-security issues.

Earlier this year, Biden lost the first round when President Obama rejected his advice and decided to send 4,000 troops to Afghanistan beyond the 17,000 he had already authorized, but the vice president has now resumed his advocacy for a "counterterrorism" approach. This approach would narrow U.S. goals and rely primarily on Special Forces, drones, and an increased effort to build up the Afghan National Army to reduce the U.S. footprint in the country over time. By contrast, the counterinsurgency approach, favored by General McChrystal, Gen. David Petraeus, and the Joint Chiefs of Staff, would focus on increasing the Afghan people's sense of security and thus their support for the government in Kabul.

Given the rest of the administration's reluctance to address the issue—a recent *Washington Post* article described Secretary Clinton as "muted" in her comments at a meeting of senior advisers, and noted that Secretary Gates had kept his views "private"—Biden may be the most engaged senior civilian official in this debate.

As Biden so frequently pointed out on the campaign trail, a powerful vice president can be "very dangerous." This is especially the case when a vice president has a track record like Joe Biden's.

The vice president's position on Afghanistan today is a drastic departure from his previous views. In February 2002, Biden said of our effort in that country: "Whatever it takes, we should do it."

The "evolution" of Biden's views since that statement is not out of character. A review of his record on foreign policy in recent decades reveals more discontinuity than coherence.

During the 1980s, Biden opposed funding for the Contras, referring to it as "bankrupt—bankrupt morally, bankrupt politically, and bankrupt militarily." He became a regular opponent of new weapons systems and campaigned against President Reagan's proposed missile defense. An ardent arms-control advocate, in July 1986 Biden chastised President Reagan as "the first president since Dwight D. Eisenhower to not have any success in the arms-control arena." As a presidential candidate in 1987, two years before the fall of the Berlin Wall, Biden praised Soviet premier Mikhail Gorbachev for his "pragmatic leadership" and said that President Reagan was "reacting without a strategy."

Despite that run for the presidency and his position as a senior member of the Senate Foreign Relations Committee, Biden didn't emerge as a key Democratic voice on foreign policy until the 1990s, when he became what Jeffrey Goldberg described in a 2005 article in *The New Yorker* as "a missionary in the cause of armed humanitarian intervention." Biden proudly recounted to Goldberg how he had been on the right side of the debates over Bosnia and Kosovo and how Republicans had opposed efforts to intervene there:

> "I came back to the Republicans and laid out the death camps in Kosovo, the rape camps in Bosnia—I laid it out in stark relief," he told me. "These guys"—the Republicans—"said, 'It's not our business.' What is so transformational in the last four years is that these a**holes who wouldn't give President Clinton the authority to use force" have now become, he said, moral interventionists. "Give me a f**king break."

Biden also advocated the use of U.S. ground forces in Darfur. At a Senate Foreign Relations Committee meeting, Biden said he would "use American force now" and cited the views of senior U.S. military officials that as few as 2,500 U.S. troops could "radically change the situation on the ground." Biden held this belief as late as August of last year.

It's unclear how he has used his powerful West Wing office to promote this policy. Some left-leaning groups recently ran ads in major U.S. newspapers advocating action in Sudan. One cited a Biden remark from July 2008,

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scolding, "Vice President Biden, it is just a nice quote unless it inspires equally strong action in Sudan."

Also, Biden's views about humanitarian intervention are inconsistent with his views about U.S. strategy in the War on Terror. He has consistently opted for approaches that have later proven wrong, and has shown disregard for the fates of innocent people living under repressive regimes.

He voted with the majority of his Democratic colleagues in the Senate against the first Gulf War. Eleven years later, with many of his fellow Democrats, he supported the Iraq War before turning against it. As late as 2005, he was telling Goldberg that "the decision to go to war was the right one."

In 2006, with violence in Iraq on the rise and some in his party calling for a full-scale withdrawal, Senator Biden began a collaboration with Leslie Gelb, a former president of the Council on Foreign Relations, to promote a truly harebrained scheme to break up Iraq into three autonomous regions. Biden continued to promote the idea until, several years later, the success of the Bush administration's surge (which he had called "absolutely the wrong strategy") exposed his plan for what it was: a ridiculous notion that would likely have destroyed the country and had drastic implications for Iraq's neighbors and U.S. interests in the region.

But that didn't stop Biden. As late as September of last year, he was trying to argue that it was his strategy, not the surge, that had led to success in places such as Anbar Province. He told Tom Brokaw on *Meet the Press* that "they did what I'd suggested two and a half years ago: gave local control."

Biden's attraction to "unique" solutions to complex problems may be behind his fascination with the counterterrorism option in Afghanistan. But his current position on that issue is also starkly different from the one he outlined in statements just a year ago.

Much has been written about Barack Obama's rhetoric on Afghanistan during last year's presidential campaign. He described it as the "central front in the War on Terror." What is often overlooked is that Joe Biden also spoke about the war's importance, often in very personal terms, and attacked John McCain for supposedly taking his eye off of Afghanistan. In September 2008, Biden said:

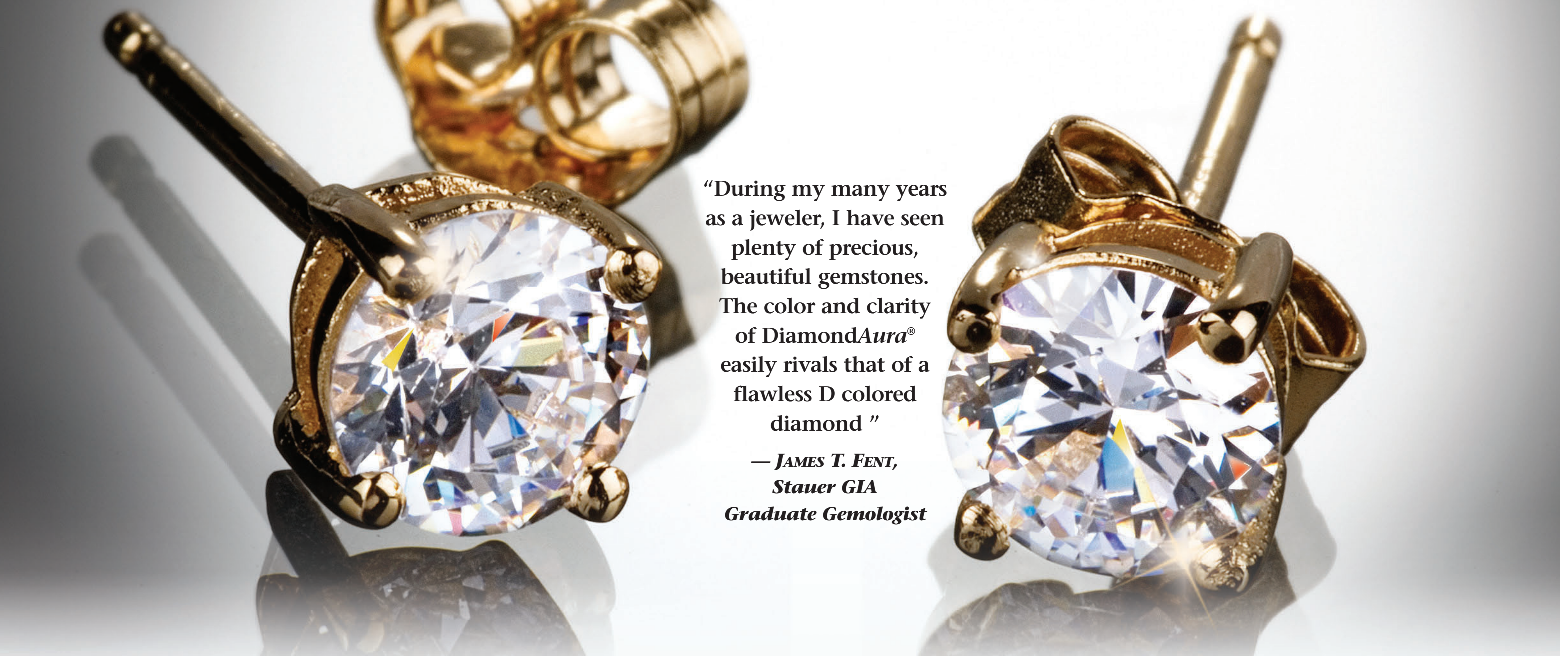
> John McCain continues to insist, against all the evidence and all the facts, that Iraq is the central front in the war on terrorism. . . . John is more than wrong—he is dangerously wrong.

Biden is now pushing a strategy for that same "central front in the war on terrorism" that is not supported by the commanders on the ground, the combatant commander, or any member of the Joint Chiefs of Staff. It is a strategy that would allow al-Qaeda to return to Afghanistan and would very likely mean the deterioration of Afghanistan to its pre-9/11 condition of Taliban rule.

Oddly, Joe Biden the humanitarian interventionist is nowhere to be found. Commenting in April of this year about a new Afghan law that some felt would allow men to rape their wives, the vice president condemned the law but said, "I am not prepared to send American troops to die for that." Perhaps he should explain why the peoples of Bosnia, Kosovo, and Sudan are more valuable or more vital to U.S. interests.

Like Biden, the Democratic party seems confused about its foreign-policy bearings. Few commentators are comparing the Obama administration to those of the wartime presidents Roosevelt and Truman, or that of Cold Warrior Kennedy. References to LBJ and Carter are far more common. Sweeping statements about America's obligations to those beyond its shores have been set aside as the Obama administration debates the impact of an Afghan surge on the 2010 midterm elections and whether losing Afghanistan to the Taliban would reestablish a haven for al-Qaeda and endanger American security.

With the overwhelming majority of his party's supporters opposing the war in Afghanistan, President Obama's choice in the coming weeks will define his and his party's foreign policy for some time to come. The strategy Vice President Biden now offers, like many others he has advocated over the last three decades, is unsound. To borrow his own words, it would be dangerously wrong. It is divorced from reality and America's most basic national interests. May the president and his party consider these words and ask whether they—like Joe Biden—wish to end up on the wrong side of history once again. **NR**



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Media Malpractice

The Fourth Estate is certainly doing its part for Obamacare

BY RAMESH PONNURU

On October 7, the Congressional Budget Office released a preliminary analysis of Senate Finance Committee chairman Max Baucus's health-care bill. The report said that the bill would net the government $81 billion over ten years—on certain assumptions, which the report itself suggested were unrealistic.

The report, for one thing, factored in $200 billion in reduced physician payments under Medicare. Congress has habitually enacted smaller payment cuts and then balked at letting them take effect; the CBO report went out of its way to mention that habit. The CBO assumed, further, that Congress would heap new burdens on people who get their health insurance from their employers, without offering them new subsidies. If the bill passes, it will, in short, almost certainly increase the deficit.

Democrats, naturally, ignored the fine print in their press releases. So did most of the press.

The morning after the CBO assessment came out, Maggie Rodriguez, a co-host of *The Early Show* on CBS, said, "President Obama's health-care plan gets a green light from the Congressional Budget Office, as a key bill not only pays for itself, but actually saves billions." She threw the story to Nancy Cordes, who repeated the spin: "The new bill would actually reduce the federal deficit by $81 billion according to the new estimates. The price tag, $829 billion over ten years, would be fully paid for, and then some, by an excise tax on top-dollar insurance plans, by fees on drug makers and medical-device manufacturers, and more." The two were back on the evening news. This time, Rodriguez said that "according to a new report from the nonpartisan Congressional Budget Office, the plan costs less than expected and would actually reduce the deficit. So why do Republicans still oppose it?"

At no point in either the morning or the evening did anyone on CBS cast doubt on whether the bills would "actually" save billions for the federal government, let alone for anyone else. (My thanks to the Media Research Center for transcribing the segments.)

But that network was not alone in its credulousness. On the front page of the *Washington Post*, Lori Montgomery and Shailagh Murray reported that the CBO had said the bill would "keep President Obama's pledge that [health-care legislation] would not add 'one dime' to federal budget deficits." The duo did not mention that the CBO had also questioned the realism of its own forecast. The story was the same at the *New York Times*, where another pair of reporters, also on the front page, also said that the president's not-one-dime promise had been kept, and also said nothing about the unbelievable assumptions of the analysis.

Gullibility regarding liberal claims about health care, combined with skepticism toward conservative ones, seems to be a chronic condition for most reporters on the health-care beat. Journalists have not always and everywhere exhibited this condition, of course, but quite a few have succumbed.

Earlier this year, Ceci Connolly reported, in another front-page story for the *Washington Post*, that people who go without health insurance raise premiums for the rest of us by $1,000 a year. Supporters of universal coverage routinely invoke this factoid. It's not a fact. The source is a left-wing advocacy group, and nonpartisan observers, including the CBO, believe that the real premium increase is much smaller, perhaps $220 a year.

In the same piece, Connolly reported that the U.S. spends more money on health care than other countries while generating less impressive statistics. She specifically cited our high infant-mortality rate—without mentioning that we have, for example, a higher proportion of low-birthweight babies than other countries, which is hardly the fault of our system of health finance.

Maybe Connolly's worst blunder was to report that there is a "consensus" that the cost of health care undermines the competitiveness of American business. That consensus includes other news outlets, such as Reuters, and President Obama. There is a directly opposed consensus that includes most health-care economists, the CBO, and some members of Obama's economic team. It holds that health-care costs come out of wages, not profits, and thus generally do not affect firms' competitiveness.

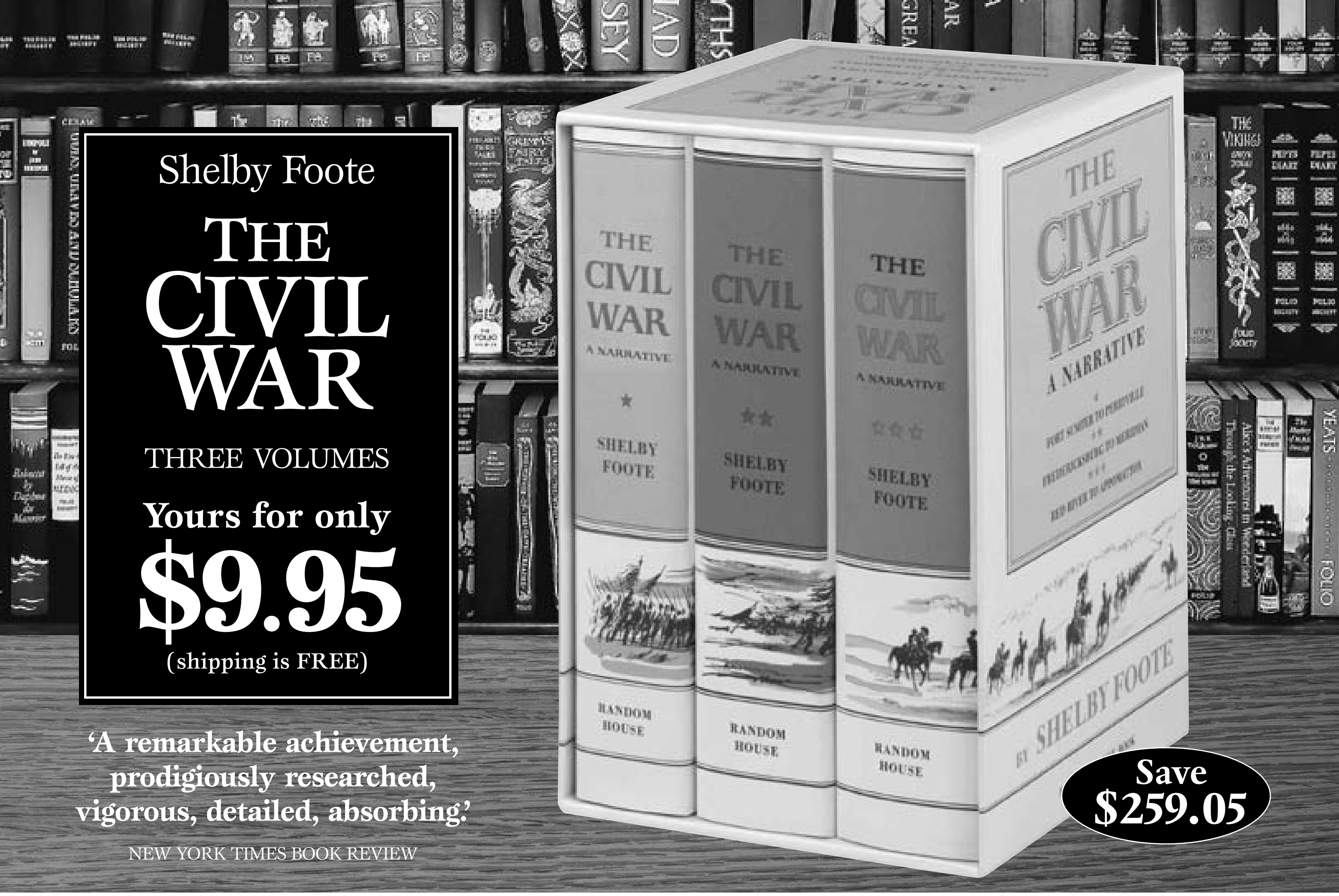
Several news outlets, notably Reuters and the *Los Angeles Times*, fell for a study purporting to show that health expenses were the reason for most household bankruptcies. But that study counted bankruptcies caused by deaths in the family, alcohol and drug addiction, and reckless gambling as "medical" in nature. Most of the bankrupts in the study did not judge health care to be at the root of their troubles. (Several of the study's many other flaws were picked apart by Megan McArdle, a writer for *The Atlantic*.)

Journalists' use of the phrase "health-care reform" has also skewed the debate. The *Washington Post* headlined a story on Sen. Jim DeMint "S.C. Senator Is a Voice of Reform Opposition." Actually, DeMint has long championed a variety of free-market health-care reforms. He is a voice of opposition to the health-policy changes that Democrats are currently seeking, but it is inappropriate for journalists who aspire to objectivity to identify those changes, and only those changes, with "reform."

None of this is to say that the watchdogs of the press have been asleep during the health-care debate. Reporters have aggressively pointed out what they regard as inaccuracies. But they have concentrated mostly on the alleged inaccuracies of conservatives, and frequently gotten their facts wrong in the process.

Newsweek has provided several classics of the genre. In one story, Sharon Begley and three other reporters purported to expose "The Five Biggest Lies in the Health Care Debate." All of them were propagated by what Begley called, yes, "opponents of health-care reform." If Begley ever considered the possibility that people on the other side of the debate might on some occasions have engaged in "lies and exaggerations" of their own, she left no evidence of it in her story.

Among the supposed lies *Newsweek* went after was the claim that illegal immigrants would receive subsidies under the House Democrats' bill: "Can we say that none of the estimated 11.9 million illegal immigrants will ever wangle insurance subsidies through identity fraud, pretending to be a citizen? You can't prove a negative, but experts say that Medicare—the closest thing to the proposals in the House bill—has no such problem." The accusa-



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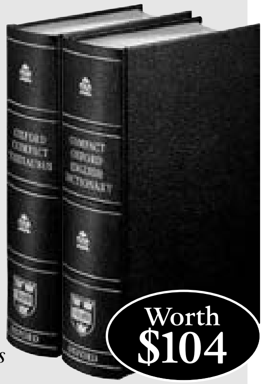

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tion of deceit rests on a series of non sequiturs. The House bill does not require that the legal status of beneficiaries be verified, so no illegal immigrant would have to commit identity fraud to get subsidies. Medicare, on the other hand, has a verification mechanism, since eligibility for it is linked to receipt of Social Security.

Much of the press took a similar line when Rep. Joe Wilson accused President Obama of lying about illegal immigrants' ability to get health-care subsidies. Obama was right, reporters claimed, and Wilson wrong. Several fact-checking institutions, notably the *St. Petersburg Times*'s unjustly acclaimed PolitiFact, backed up Obama. *Newsweek* came back to the issue on its website, with Andrew Romano repeating all of Begley's mistakes and also giving credence to the myth that uninsured people raise premiums $1,000 a year.

Abortion is another topic that the press has repeatedly fumbled. Few journalists have shown any interest in getting up to speed on the issue, which enables the Obama administration and its allies to get away with misleading statement after misleading statement. When White House press secretary Robert Gibbs said on October 7 that "there's a law that precludes the use of federal funds for abortion" and that "these health-care bills" do not change that law, none of the reporters pointed out that the law in question applies only to Medicaid, that the bills create new funding streams outside of Medicaid, or that Obama has advocated abolishing the law.

Large topics, meanwhile, have gone almost completely unexplored in the press. The Baucus bill creates effective marginal tax rates of nearly 75 percent for people with low to moderate incomes, because of the way they lose benefits as they get raises. Are the benefits of the bill worth that cost? People who watch the nightly news or read the newspapers won't consider that question because they won't be aware the cost exists. What would be the advantages and disadvantages of Republican alternatives to the legislation under consideration? What, for that matter, are those alternatives? These are questions in which most reporters have shown little interest.

The press has often depicted opponents of the health legislation moving through Congress as angry. Perhaps one reason for that anger is that the reporters aren't giving their point of view a fair shake. **NR**

Naïve Statistics

Or was the Obama team's case for the stimulus cynical instead?

BY SAMUEL R. STALEY

JUST nine months into his presidency, Barack Obama's call for Americans to cast aside their disillusionment and frustration with Washington politics rings increasingly hollow. Many have seen his administration use brass-knuckle Chicago politics, and embrace the cynicism that the candidate once criticized, to push a partisan agenda.

For economists, this cynicism may have been most evident in the way the White House strong-armed the so-called stimulus package through Congress, using dubious economic forecasting by staff economists. The candidate who promised public policy based on evidence and fiscal responsibility has built a deceptive statistical façade to support his agenda.

That the nation was in a recession when Obama took office was beyond doubt. The National Bureau of Economic Research (NBER) Business Cycle Dating Committee, the widely recognized professional arbiter of when business cycles peak and trough, pronounced the recession one year old on Dec. 1, 2008. The controversy was over what, if anything, the federal government should or could do to right the ship.

As the recession took hold in 2008, most economists were scrambling to understand its causes. Caught flat-footed, they recognized that their policy recommendations were based as much on gut, personal experience, and political philosophy as on the empirical models that had proven incapable of forecasting the worst recession in 25 years.

Macroeconomic forecasting is at least as much art as science. Most professional economists recognize the hazards of predicting an economic peak or trough. Recent NBER pronouncements indicate that this task is getting even more difficult. It took the Business Cycle Dating Committee nine months finally to declare the economy in recession during the 1990–91 downturn, and 21 months to proclaim it officially over. The committee took eight months to declare the economy in recession in 2001, but over a year to declare it over. The committee reviewed data for a year before declaring the start of this recession.

This is why the White House's use of forecasting to aggressively promote its political agenda is so troubling.

Beginning with a report written by Christina Romer, the current chairwoman of the President's Council of Economic Advisers, and Jared Bernstein, now Vice President Biden's chief economist, the White House trotted out numbers based on statistically naïve and simplistic methods in order to drum up support for the stimulus package.

Romer and Bernstein's initial report, released prior to the president's inauguration in January 2009, estimated that a hypothetical $775 billion stimulus plan that included government spending and tax cuts would generate jobs in a "reasonable range" of 3.3 to 4.1 million by the end of 2010. Perhaps in an effort to preserve some academic credibility, Romer and Bernstein were somewhat circumspect in their analysis: "Our estimates of economic relationships and rules of thumb are derived from historical experience and so will not apply exactly to any given episode. Furthermore, the uncertainty is surely higher than normal now because the current recession is unusual both in its fundamental causes and severity."

If the story stopped here, few people would cry foul. Romer and Bernstein's analysis was simply one more report issued as policymakers and academics scrambled to figure out what to do about the economy. Analysis from all quarters is useful in determining macro policy, particularly during periods of extraordinary uncertainty.

But it didn't stop there, and that's where questions of professional ethics arise. A well-known principle of statistics is that the accuracy of estimates falls the more specific, narrow, or infrequent the data become. Predicting economy-wide trends is easier than predicting what will happen to individual households. Even predicting statewide economic performance is tricky. Predicting local trends from macroeconomic analysis is almost impossible. These processes are fraught with all sorts of methodological land mines, not the least of

Mr. Staley is director of urban-growth and land-use policy at the Reason Foundation and teaches urban and regional economics at the University of Dayton.

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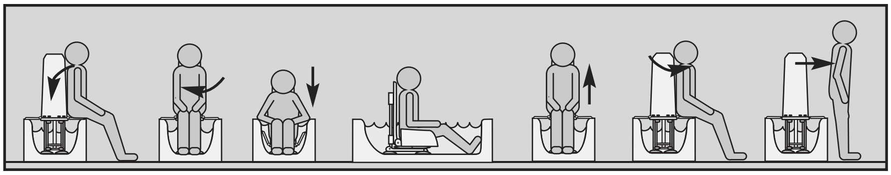


which is the idiosyncratic nature of local economic growth.

Nevertheless, Romer and Bernstein's model of the national economy was tweaked by the newly installed administration to create state-by-state estimates of the number of jobs that would be "saved" or "created" by the stimulus bill.

Leaving aside problems such as the practical impossibility of distinguishing between a job "saved" and a job "created," or the wisdom of failing to adjust for state-specific conditions, the White House divvied up the 3.5 million jobs it claimed the stimulus bill would save or create among the 50 states over the next two years in a report issued in February 2009. Largely rural Alabama would reap economic benefits that included 52,000 jobs saved or created. Natural-resource-dependent Wyoming would get 8,000 jobs. The hard-hit industrial Midwest would see 109,000 stimulus-driven jobs in Michigan, 133,000 jobs in Ohio, 75,000 jobs in Indiana, and 148,000 jobs in Obama's home state of Illinois. California would be the biggest winner, as stimulus spending would create or save nearly 400,000 jobs there. Texas, which had yet to slip into a true recession at the time the report was published, was expected to benefit from 269,000 jobs either saved or created.

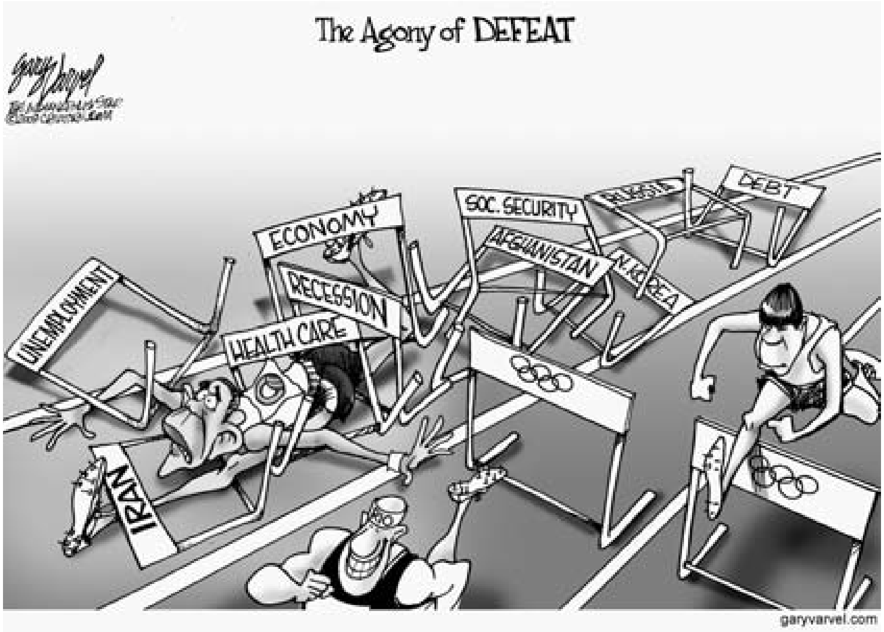
In a truly audacious stretch of statistical credibility, Romer and Bernstein's national macroeconomic model was used to predict jobs saved or created for every congressional district in the nation. Indiana's seventh district, home to Indianapolis, would get 7,700 jobs as a result of the stimulus package. The three congressional districts encompassing already growing Columbus, Ohio, were forecasted to get about 8,000 jobs each.

In a typically implausible result, Ohio's poor and rural sixth district, a twelve-county region snaking along the hilly eastern reaches of the Ohio River, was forecast to get 7,200 jobs from the stimulus. The same area added just 3,500 real jobs between 2000 and 2007, which means the stimulus package would match to nearly double in two years what national macroeconomic expansion accomplished in six years.

California's 25th district, a vast area stretching westward from the Nevada border, would get 8,400 jobs. The ritzy 23rd district along the Pacific Coast Highway would get 7,100 jobs, while the 24th, including the inland portions of wealthy Santa Barbara and Ventura counties, would get 7,300 jobs.

If these estimates seem fishy because they fall into a very narrow range (between 6,500 and 9,200 for all districts in California), they should. Essentially, the job growth is distributed based on population with little or no analysis of or adjustment for local conditions, historical trends, and other economic strengths and weaknesses. Not surprisingly, no congressional district in the nation would be worse off than before the stimulus.

It's almost as if White House economists were betting no one would examine their results closely. And they were right. Only a few conservative and libertarian bloggers (including the Reason Foundation) noticed the statistical sleight of hand.



But the day of reckoning is here. While the White House's stimulus job estimates were expected to track job growth through the end of 2010, the first eight months of the Obama administration are really all we need to know. The real world has shown what most economists already knew: The statistical predictions were meaningless. The computer models on which they were based, like those that did not predict the recession in the first place, have failed.

Romer and Bernstein claimed with strikingly confident precision that unemployment would peak in the third quarter at about 8 percent. Then, unemployment would fall through the remainder of the year and into 2010, settling back to the historical unemployment rate of about 5 percent sometime in 2013.

The real world is showing the folly behind these predictions. The unemployment rate stood at 9.8 percent in September 2009, and most mainstream economists expect it to climb higher. Employment fell by 392,000 jobs in August and 785,000 in September. The number of unemployed—those without a job but looking for work—increased by 466,000 in August and 214,000 in September. Over the summer, the number of unemployed climbed from 14.7 million to 15.1 million.

Indeed, 14 states and the District of Columbia had unemployment rates over 10 percent by August 2009, according to the U.S. Bureau of Labor Statistics. Michigan, Nevada, Rhode Island, California, and Oregon led the nation in unemployment with rates of 15.2 percent, 13.2 percent, 12.8 percent, 12.2 percent, and 12.2 percent. Moreover, the Congressional Budget Office warned in testimony to the House Budget Committee in May 2009 that the national unemployment rate would peak at over 10 percent.

At best, the White House can be accused of adopting a naïve approach to economic analysis and statistics. At worst, its economic forecasting was a cynical misuse of applied economic analysis to manipulate people into supporting a short-term political goal. Given the high caliber of his economic team, the American public may legitimately ask whether the latter interpretation is more accurate. Either way, this misuse of data and analysis isn't the kind of change the American people voted for when they bought into presidential Candidate Obama's campaign message to "turn the page" on politics as usual. **NR**

Gun Nuts

Montana sends a shot across the bow of federal regulation

BY TRAVIS KAVULLA

Great Falls, Mont.

LONG has Montana been enthusiastic on the subject of guns, but the Montana Firearms Freedom Act takes the cake.

Passed this spring by the state legislature, a group of folks who meet for 90 days every other year, the law declares that any weapon or round of ammunition made in Montana and remaining within state borders "is not subject to federal law or federal regulation, including registration, under the authority of Congress to regulate interstate commerce." This bold declaration of independence became law October 1, though even before then the Bureau of Alcohol, Tobacco, and Firearms had sent out a memorandum to gun dealers, the summary of which was: Don't even think about it. A lawsuit is pending.

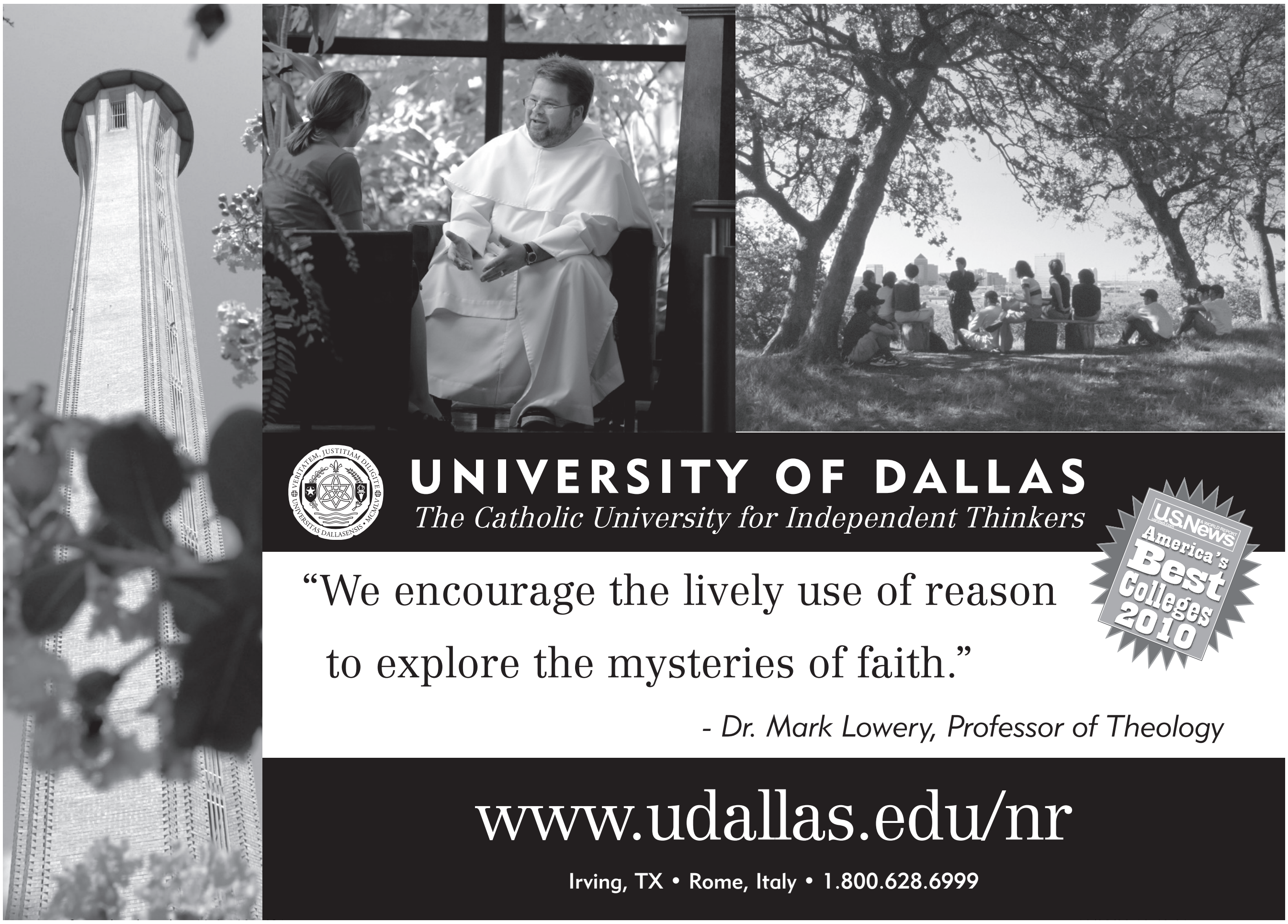
A nearly identical piece of legislation had been defeated in the 2005 and 2007 sessions of the legislature, but this year a groundswell of public anxiety about federal regulation of guns led to votes that were not even close. The act won passage 85–14 in the house and 29–21 in the senate, with many Democrats—most of them town-dwelling folk—lining up behind their country brothers and voting "yea."

This bit of classically Montanan orneriness comes in the wake of a surge in gun sales throughout the United States. Whatever havoc the recession may be wreaking on other parts of the economy, the guns-and-ammo business is not just unfazed, but prospering. In the immediate aftermath of Barack Obama's election, gun sales spiked everywhere. CNN reported a run on the market, with one dealer describing a single Saturday of sales that equaled an average week's receipts.

In recent months, gun sales have tapered off, but it remains difficult to find handgun ammunition. Demand far outstrips supply. At sporting-goods stores in Great Falls, this centrally located town of 56,000 surrounded by farms and ranch land, the popular .38- and .44-caliber ammo is regularly sold out.

Last month, the largest gun show in Montana convened here. It was a sea of hundreds of display tables whose 3,850 linear feet teemed with guns, ammunition, and related paraphernalia. In one corner, a Republican county commissioner handed out popcorn to constituents. Although he's not up for reelection until November 2010, he considers this a must-do event. Attendance at the spring gun show topped 7,000 and declined slightly, to 5,500, this fall. I arrived on a Friday afternoon, before the official opening, and found a line of two dozen men waiting to gain admission. By Saturday afternoon,

Mr. Kavulla is a former associate editor of NATIONAL REVIEW.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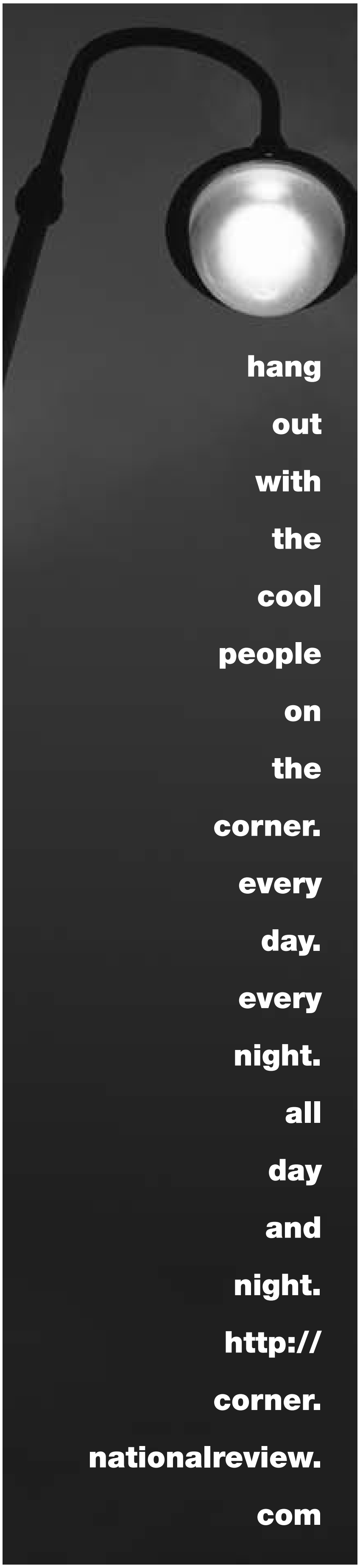

most handgun ammunition had sold out. Mike Balko, who organizes the show on behalf of the Weapons Collectors Society of Montana, says that many dealers reported their best show in decades.

It is one of the weirder and more disconcerting sociological occurrences of our time that the sale of weaponry would spike so dramatically after the election of the first black president. Much has been made of this in the news media and throughout the liberal blogosphere. CNN and MSNBC famously showed middle-aged, vaguely disgruntled-looking white dudes packing heat outside Obama rallies in New Hampshire and Arizona. After these incidents and others during this summer's outraged populist bonanza, Nancy Pelosi put herself before the cameras to imply and hint and all but utter the unspoken word, "assassination," imputing to the protesters a violent character.

The smear enraged the West's gun owners, seemingly every one of whom genuinely believes a better-armed society is a safer one. They view themselves not as renegades but as hunters and hobbyists, law-abiding guys exercising what is, after all, a right protected by the U.S. and Montana constitutions.

Buying guns when a Democratic president takes office makes a lot of business sense to watchful collectors.

Gun enthusiasts will inform skeptics that, yes, you can use a handgun for deer hunting, and that it is in fact more challenging and sporting to do so. In any case, it is none of these Californians' business. (Montanans often take California, especially in the Era of Pelosi, as the epitome of the West Gone Soft.) Guns, anyway, are not just for shooting and killing. They are integral to many Montanans' investment and retirement portfolios. Just as an antique porcelain teacup is not for drinking and a Louis XV chair not for reclining, many serious gun collectors fire their weapons only to see if they work and then retire them to their cases and safes.

"Guns and real estate are the only things which always go up in value," a collector once told me, and, at least for guns, the maxim is holding true. Balko, the gun-show organizer, says he bought a Thompson sub-machine gun for $7,000 from a man who'd only ever fired six rounds through it (this in just over a second). A Tommy gun now retails for $21,000. These enthusiasts have profit in mind, not Freemen-style standoffs, and buying guns when a Democratic president takes office makes business sense to watchful collectors.

Far from begrudging the many hoops he was forced to jump through, Balko seems vaguely proud to have navigated the obstacle course of federal gun law, which required him to obtain a letter of good behavior from the sheriff along with a lengthy application and a $200 stamp from the federal government. A veteran, Balko says that the background check the feds did on him was "more thorough than the military's secret clearance I went through years ago. They interviewed my neighbors and various people I'd given as character references."

Across the United States, gun rights are gaining traction. Congressional Republicans amended an appropriations bill this year to allow visitors to national parks to carry firearms. (Montanans joke that the Park Service–recommended pepper spray just means a spicier meal for the grizzlies.) At the U.S. Supreme Court, the District of Columbia's near-total ban on sidearms was invalidated; last year's ruling marked the first time the Court acknowledged an individual right to bear arms. Chicago's restrictive gun laws appear to be next on the Court's chopping block.

But there is little question that it is state governments, particularly in the West, that have been on the front lines of making guns easier to own and carry. Arizona, as Jay Nordlinger pointed out in the last issue of NR, recently rescinded its ban on guns in bars.

In Montana, the antipathy toward federal regulation runs deep. "This is not just about guns, but about state rights," says Wendy Warburton, a freshman Republican legislator from Havre and one of the sponsors of the made-in-Montana firearms law. "We are tired of the federal government shoving things down our throats, everything from No Child Left Behind to highway-funding restrictions."

Throughout the 1990s, the state clung to its rowdy heritage, refusing to adopt an open-containers law (you could drink and drive so long as you weren't drunk) and keeping the blood-alcohol content level at which one was considered impaired at .10, rather than the now-familiar .08. Lately, however, it seemed that Montana had become a bit purple, suburbanized, tamed of its bad-boy behavior. Drinking laws were stiffened in the last decade. And this year, on the same day the declaration of gun independence took effect, so did a blanket smoking ban in bars. Montana is now the 18th state to disallow smoking in every indoor area open to the public.

Montana has yielded in some ways to the social legislation more common in urban areas or populous states. But on the issues of guns and self-defense, Montanans have remained resolute. In addition to the attempt to nullify the interstate-commerce clause's application to Montana-made firearms, the legislature passed a law codifying the "Castle Doctrine," which holds that someone who is attacked or threatened with serious force need not attempt a retreat before defending himself with force of arms.

The statute recently saw its first test when two Wal-Mart employees in Billings got into a quarrel near the loading docks. One employee, weighing over 300 pounds, knocked to the ground a male coworker half his size. The latter, still menaced by this hulking figure, drew his sidearm and fired, grazing his fellow employee's cheek but not seriously injuring him. After reviewing the new law, Yellowstone County prosecutors declined to charge the man who fired the gun. The gunplay at Wal-Mart apparently did not shake the convictions of the Castle Doctrine's legislative sponsor, a rural Republican who told the *Billings Gazette* after the incident that the law seemed to be doing just what it was designed to do.

"We have the most conservative house we have ever seen," Warburton says, adding that it was freshman legislators who pushed through many of the bills aimed at curtailing federal and state interventions into the lives of Montanans. "Anyone who thinks the leave-us-alone, tea-party people don't matter should be watching what's happening right now in Montana." **NR**

An Unpretty Pass

What a song without words says about American life

BY JAY NORDLINGER

In Mill Creek, Wash., there is a high school named after Scoop Jackson, the late senator and Cold War hero. Mill Creek is just outside Everett, which was the senator's hometown. And, in 2006, something curious happened at Jackson High—something that helps us know where we stand in American life.

The school had had a little tradition: Every year, the wind ensemble would choose a piece to play at graduation. In the previous three years, the group had picked *On a Hymnsong of Philip Bliss*, by David Holsinger. It is based on "It Is Well with My Soul." But in 2006, the group wanted to play a different piece, something they had played on a winter concert and loved: the *Ave Maria* of Franz Biebl. The 17 members of the group voted unanimously for the piece. And their music director duly put it on a list of pieces proposed for graduation, a list sent to the school principal.

He looked it over, and the words "Ave Maria" raised a red flag for him. He kicked the matter upstairs, where it eventually reached Carol Whitehead, superintendent of the Everett School District No. 2. The words raised a red flag for her, too. She later admitted she did not know what they meant, but she knew they related to religion—and that was enough for her to forbid the wind ensemble to play the piece. Winter concerts were one thing, graduation ceremonies another. She would not have Everett-area schools "endorsing" religion.

Mind you, the wind ensemble was not going to sing any words. They were wind players. They were just going to play the music, the notes. But that was still not allowed: The title of the piece, "Ave Maria," would have to be printed in the graduation program. And that was impermissible.

A student who played alto sax in the ensemble, Kathryn Nurre, sued. She claimed that her constitutional rights had been violated. Assisting her is the Rutherford Institute, a civil-liberties outfit based in Charlottesville, Va. Its president, John Whitehead—no relation to the superintendent—says this is the most extreme case he has ever seen. This is the end of the line, in a way: "It's gotten so weird—I don't know how to explain it. It goes very deep." If a school will not permit an instrumental version of an Ave Maria at graduation, hostility to religion is official and pretty much complete. And what, asks John Whitehead, will that do to culture at large? Leaving aside Bach, Michelangelo, and Tolstoy: What about "Stairway to Heaven"?

You can understand why the Everett school officials would have been nervous. In 2005—the year before the wind ensemble wanted to play Biebl's *Ave Maria*—a Jackson High chorus had sung a song at graduation: "Up Above My Head." The song makes reference to angels, heaven, and even God. This was too much for some in the audience, who complained to the school district and wrote letters to the Everett *Herald*. Therefore, school officials were on the alert: and something called "Ave Maria" was a no-go.

After Kathryn Nurre launched her suit, some letters were published in the *Seattle Times*. One lady wrote to "applaud" Superintendent Whitehead "for correctly insisting the wind ensemble play a more secular piece for commencement." Thinking of a different Ave Maria, no doubt, she continued, "That melody is very familiar to all of us, and when we hear the instruments play, the words are immediately heard in our brains." Now we are in the vicinity of thought-crime: We may not be singing about God, and we may not be hearing words about God, but the notes make us think of God, which is verboten at graduation.

The letter-writer went on to say, "If secular people of all stripes, whether atheist, agnostic, skeptic or freethinker, don't speak out about these abuses . . . we will be no better than the Islamic jihadists." She ended with a direct message to the student plaintiff: "Sorry, Kathryn Nurre, the majority doesn't always win in a true Democracy. You attend a tax-supported high school."

That is a near-perfect expression of "liberal" opinion in the United States today. And it is mean, ignorant, and illiberal.

The Ave Maria our letter-writer was thinking of was probably Schubert's—or the one Gounod fashioned out of a keyboard prelude by Bach. Franz Biebl's is

Cover the children's eyes, and ears?

EXTRACT FROM VAN EYCK'S GHENT ALTARPIECE

less known. But, frankly, it is one of the most beautiful pieces of the 20th century. Biebl was a German who lived from 1906 to 2001. He wrote his Ave Maria in 1964, when a choir of firemen in Munich asked him to do so. (That was a different world.) It caught on in the United States mainly because Chanticleer, the a cappella group in San Francisco, made it a signature. Audiences are reluctant to let them end a concert without it.

Editorializing about the Nurre case, the newspaper in Tacoma asked, "Can music be religious without words?" Sure, in a way. You would be hard pressed to hear a Bruckner symphony without noticing the religious sensibility infusing it. Bruckner dedicated his final symphony to "my dear God." Bach was, is, equally God-soaked. At the end of many of his manuscripts, he placed the initials "S.D.G.," meaning, "Soli Deo Gloria," or "To God Alone the Glory." If you take religion out of music, or religious music out of the general repertoire, you will be left with a diet that is hardly worth eating.

In September 2007, the federal district court in Seattle ruled in *Nurre* v. *Whitehead*: against the student, for the superintendent and the schools. The case went to the Ninth Circuit Court of Appeals: where, in September 2009, a three-judge panel ruled as the district court had. The votes were 2 against 1. Nurre and her supporters are hoping that the Supreme Court will hear the case and rebuke the lower courts, giving clear guidelines.

Nurre is suing on three grounds: that Whitehead violated her free-speech rights, as granted in the First Amendment; that she acted hostilely toward religion, in violation of the First Amendment's Establishment Clause; and that she ran afoul of the Equal Protection Clause as given in the Fourteenth Amendment—previously, as you know, the Jackson High School wind ensemble had been allowed to play *On a Hymnsong of Philip Bliss*. Was the Class of 2006's desire so different?

Writing for the Ninth Circuit majority was Judge Richard C. Tallman. His is a thoughtful opinion, decently respectful of Nurre, religion, and music. Toward the end of it, he wrote, "We . . . wish to make clear that we do not hold that the performance of music, even 'Ave Maria,' would necessarily violate the Establishment Clause. We hold only that Whitehead's actions were reasonable in light of her past experience and her understanding of the law and did not violate Nurre's constitutional rights."

But Judge Milan D. Smith's dissent has won conservative hearts around the country. His was a partial dissent, finding that Superintendent Whitehead did, in fact, violate Nurre's free-speech rights. He wrote that "unnecessary measures by school administrators will only foster the increasingly sterile and hypersensitive way in which students may express themselves . . . and hasten the retrogression of our young into a nation of Philistines who have little or no understanding of our civic and cultural heritage." "The Hallelujah Chorus" would be out, of course—but also "The Battle Hymn of the Republic" and "When the Saints Go Marching In."

Will the Supreme Court take the same view as Smith, if that court hears *Nurre* v. *Whitehead*? The Ninth Circuit is a court overturned with reassuring frequency. Remember, these are the people who brought us the banning, for a time, of the Pledge of Allegiance, because of "under God."

But, whatever happens to *Nurre* v. *Whitehead*, we have reached a pretty pass when a school superintendent thinks she must ban an instrumental version of an Ave Maria on constitutional grounds. If she would rather avoid complaints from offended cranks, fine (sort of). And many of us are sympathetic to local control of education. But to say that an instrumental Ave Maria would violate the Bill of Rights? In acting as she did, Carol Whitehead herself might have been the violator.

We have reached a pass where, if we hear the word "God," or even "angels" and "heaven," we say, "Eek, a mouse!" American life has always been soaked in religion, from the Pilgrims to Abraham Lincoln to Martin Luther King and beyond. If American life, including graduation ceremonies, is purged of religion, American life is something new and twisted. Given the importance of religion to man in general, it is barely life itself.

The problem with Biebl's *Ave Maria*, in its wind-ensemble version, was the title alone. If the kids had told the principal that it was called "Against the Despoliation of the Environment," or "Ode to President Obama," that would have been fine, you can bet. No one in the audience would have been guilty of thought-crime. Many composers draw inspiration from God and religion when they put pen to paper, no matter what their titles. Should they tell Carol Whitehead when they have received such inspiration, just in case? Would she permit that Bach prelude—the one Gounod added to—alone, without words?

I know a singer who was asked to sing at a ceremony for a Christmas-tree lighting in a major American city—only they did not call it a "Christmas tree," of course: It was a "holiday tree." The singer was asked to sing "O Christmas Tree" and "Silent Night": but those in charge did not want her to sing them in English; she had to sing them in German, for fewer people would know that language—and words like "Christmas tree" and "Virgin" would not ring out over ears in the public square. We have reached a pretty pass, yes—in reality, a most unpretty pass. **NR**

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AMIR SHAH/AP

Realism Minus Reality, Idealism Minus Ideals

The Left's foreign policy waxes stupid and mean

BY JONAH GOLDBERG

THE Taliban throws acid in the faces of little girls for trying to learn to read. It also bombs grade schools with poison gas, crushes homosexuals, and executes dissidents of every conceivable definition. Medieval, hyper-religious, misogynistic, homophobic, iconoclastic (in the literal sense of destroyers of art), and just plain cruel, the Taliban represents nearly everything today's progressive liberals claim to despise. If only the Taliban could somehow be counted as capitalistic evangelical Christians, they'd have a perfect score. Still: They throw acid in the eyes of little girls. That should make up for quite a bit of the shortfall.

And yet it doesn't.

As of this writing, we don't know what the president's Afghanistan policy will ultimately be. But we do know that the White House has been contemplating switching from a counterinsurgency policy to a counterterrorist policy, because it has contemplated very publicly. The former would involve defeating both the Taliban and the Afghan franchises of al-Qaeda and putting the country on a path toward something like a decent society; the latter would involve "surgical" or "targeted" strikes on al-Qaeda, leaving the Afghans to work things out for themselves. All sorts of trial balloons have been launched from 1600 Pennsylvania Avenue, and to date, the reactions from liberals have varied. But as far as I've been able to determine, not one has expressed any righteous indignation over the suggestion that we might have to let the Taliban off the hook.

Now, the soundness of an al-Qaeda-centric strategy or something like it is a question for another time. It may be that the Afghan people will, of necessity, become a write-off. America has betrayed allies, broken promises (explicit and implicit), and abandoned subjugated peoples before. Just ask the Poles, the Hungarians, the Hmong, the South Vietnamese, the Cubans, the Shiites, the North Koreans, the Kurds, and, if trends continue, quite possibly the Israelis. For the most part these decisions didn't spring from villainy, but from necessity, or at least the perception of necessity. Sometimes the options are limited, and the choices are very bad. If moral imperatives were not constrained by the demands of political, not to mention physical, reality, America would have liberated Eastern Europe from Stalin's clutches the day Hitler blew his brains out, if not sooner.

Today's question is, rather: Whatever happened to liberal idealism?

When the White House started floating the idea of moving from a “war of necessity” with the Taliban to what might be called a “peace of necessity” with the Taliban, the response from liberals was either relief or concern that Obama was still being *too belligerent.* Arianna Huffington and Rachel Maddow want America to leave Afghanistan to the Taliban. The *Washington Post*’s E. J. Dionne articulated well the conventional wisdom among liberals: Afghanistan is an acceptable loss if it means the rescue of Obama’s presidency and the success of his domestic agenda. “Those most eager for a bigger war have little interest in Obama’s quest for domestic reform,” Dionne writes. “As he ponders his options, theirs are not the voices he should worry about.” In other words, since the top priority for Obama’s generals is *winning* in Afghanistan and not, say, socialized medicine, the president should ignore their counsel.

Put the question of Afghanistan aside for a moment. During the campaign, when it was suggested to Obama that a premature American withdrawal from Iraq might cause a full-blown genocide, the candidate said, in effect, So what? “Well, look,” he told the Associated Press, “if that’s the criteria by which we are making decisions on the deployment of U.S. forces, then by that argument you would have 300,000 troops in the Congo right now—where millions have been slaughtered as a consequence of ethnic strife—which we haven’t done.” He continued, “We would be deploying unilaterally and occupying the Sudan, which we haven’t done. Those of us who care about Darfur don’t think it would be a good idea.”

There were a few problems with Obama’s response. The first is that we did not *cause* the genocides in the Congo or Sudan. The AP’s question was, What if an American withdrawal led to genocide? And Obama’s answer was that that would be a risk worth taking.

Second, Obama’s position was a reversal. In *The Audacity of Hope*, Obama speculated that an American-led “show of force” might have prevented the Rwandan genocide. In 2005, he suggested that arming African Union forces and even forming “a U.N.- or NATO-led force” to stop the slaughter in Sudan might be necessary.

But most fundamentally, what on earth happened to liberalism so that even the self-styled embodiment of not just hope but the *audacity* of hope can talk like Henry Kissinger in his darkest mood? What use is liberal idealism, if not for expressing righteous indignation at American inaction during a genocide?

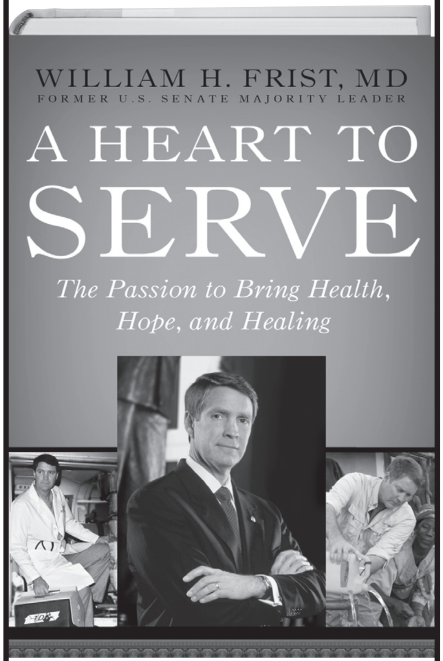
There was a time when liberals had the capacity to evoke some amount of shame from non-liberals when it came to foreign affairs. I wouldn’t want to overstate things and say that liberals served as America’s conscience, but they certainly appealed to it. Liberal harangues about, say, supporting various sons-of-bitches had a certain bite, even if they naïvely ignored the necessity of such support (strategic suicide cannot be morally obligatory). Nor would I wish to say that conservatives were pure cynics and disciples of realpolitik: Anti-Communism had a profound streak of moral idealism in it, and the alliances that liberal idealists opposed contributed to the ultimate defeat of the evil empire, a very great good.

But one could generalize by saying that there was a useful division of labor whereby liberals directed our collective gaze toward various evils and injustices (famines, apartheid, illiberal regimes) and it fell to conservatives to explain why America could do only so much, if anything, to remedy them. This is one of the reasons conservatism has always had a reputation for hard-heartedness. As Emerson put it, “There is always a certain meanness in the argument of conservatism, joined with a certain superiority in its fact.” Conservatives are *supposed* to look for the downside, the cost; this is in the national interest. The damn hippies are supposed to dream of buying the world a Coke and the conservatives are supposed to sniff that it costs too much and there’s a moral hazard in handing out soft drinks for free.

At some point over the last decade, that division of labor broke down. Consider that conservatives today are the foremost champions of democracy promotion, in all its forms, while liberals are inclined to argue that we should not—or cannot—impose our values on others. And one could even argue that conservatives became, under George W. Bush, the leading advocates of human rights and global charity. The Bush White House certainly did more to fight AIDS and other afflictions in sub-Saharan Africa and to promote women’s rights in the Middle East than President

“A clarion call to action to figure out how we can best serve.”

—Senator Orrin G. Hatch



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Clinton had done, and more than President Obama seems prepared to do. It is on the right that you will hear moralistic rhetoric about the evil of our enemies, from Mahmoud Ahmadinejad to the Taliban. At the same time, it is among conservatives that you will hear the most forceful calls for a hard-headed national-security policy. The debates on the right—even in the pages of National Review—show that serious realism is alive and well among conservatives.

Meanwhile, liberalism has largely checked out on both fronts, hitching both liberal realism and liberal idealism to a distinctly post-American vision. Today, the typical liberal idealist's highest priority is for the United States to become a "member in good standing of the international community"—a euphemism for acquiescence and subservience to the mores and dictates of the European Union, the Hague, the United Nations, and, as we've recently seen, the selection committee for the Nobel Peace Prize. And the conventional liberal realist's idea of clear-eyed realpolitik is for America to do—the exact same thing.

That in the progressive mind the U.N. has replaced the U.S. as the legitimate engine for global progress is hardly a new insight. Over the last decade, liberals have increasingly embraced the propositions that unilateralism—more properly: unilateralism by the United States—is necessarily a grave transgression against all that is right and good, and that it is often better to do wrong in a very large group than to do right alone. In the 1990s, these views—associated with what Charles Krauthammer calls the "New Liberalism"—were a major current in Democratic thinking, but it was not yet dominant. Before there was Barack Obama's global "apology tour," there was Bill Clinton's. He apologized to Guatemala for U.S. interventions there; in Uganda, he apologized for slavery; in Rwanda, he rightly apologized for doing nothing to stop the genocide, but—in perfect Clintonian fashion—lied that we hadn't known about it. He sent his secretary of state, Madeleine Albright, essentially to apologize to Iran for the overthrow of Mossadegh in 1953.

At the same time, though, the Clintonites talked of America as "the indispensable nation" and in fact supported essentially unilateral action by the United States. Tellingly, it often seemed that there was an inverse relationship between our national interests and liberal willingness to intervene: the less important to our bottom line, the more worthy the cause. The first Bush administration sent troops to Somalia largely because liberals successfully appealed to our decency, not our national interest (many conservatives were convinced—William F. Buckley Jr. supported the effort). Clinton's comic intervention in Haiti stemmed from similar appeals. The war in the Balkans was a more complicated affair, but Clinton intervened there without U.N. authorization (to the cheers, it is worth noting, of National Review, and the catcalls of *The Nation*).

President Obama, whom John Bolton has aptly dubbed 'the first post-American president,' is the incarnation of the New Liberalism.

The New Liberalism had a long gestation. None other than Harry Truman carried in his wallet a copy of Tennyson's poem "Locksley Hall," which dreamt of a day when the world would be governed by a "Parliament of man." But while New Liberalism's gestation was long, its delivery—at the hands of George W. Bush—was quick. In response to, among other things, Bush's "freedom agenda" and the Left's revolt over the Iraq War, liberal idealism and liberal realism fused, producing an alloy that is neither honorably idealistic nor profitably realistic.

This ideology is recognizably progressive in that among its defining features are a fetishization of expertise and power and an indifference to the consent of the governed. Every day, another EU brahmin waxes indignant over the idea that voters should have a say in his bureaucracy's project. A more disturbing illustration can be found in Thomas L. Friedman's envious words about Chinese authoritarianism: "One-party autocracy certainly has its drawbacks," he grudgingly conceded in a recent column. "But when it is led by a reasonably enlightened group of people, as China is today, it can also have great advantages. That one party can just impose the politically difficult but critically important policies needed to move a society forward in the 21st century." This mindset is metastasizing throughout American progressivism today, as idealism downgrades the importance of democracy while inflating the value of power within extra-constitutional and globalist institutions.

President Obama, whom John Bolton has aptly dubbed "the first post-American president," is the incarnation of the New Liberalism. When asked whether he believes in American exceptionalism, Obama replied, "I believe in American exceptionalism, just as I suspect that the Brits believe in British exceptionalism and the Greeks believe in Greek exceptionalism." This is a profound rejection of both reality and ideal. One doesn't have to be a jingoist to appreciate what everyone from Tocqueville and Marx to Werner Sombart and Seymour Martin Lipset recognized as the unique nature of America's origins and character. When Obama says America is exceptional to Americans just as Greece is exceptional to Greeks, what he is really asserting—beyond the idea that no nation is really exceptional—is that exceptionalism is a kind of superstition (perhaps akin to the superstitions that prevented those western Pennsylvanians from understanding that they should vote for him in their Democratic primary). Obama seems to think it his mission to help us get over fairy tales of America's unique role and status. Perhaps that's one reason—in addition to his arrogance—for his declaration to members of the U.N. General Assembly in September that they could measure the character of the American people by his nine months in office and not by, say, the graves at Normandy, the moon landing, the Declaration of Independence, or other hallmarks of America's uniqueness.

So the old concept of American exceptionalism is dead, but fear not: America remains a standout in other ways. We produce too much carbon. We drain too many of Gaia's resources. We haven't "caught up" with the European Union's enlightened policies on health care, gay rights, and transnationalism. We support Israel when much of the U.N. is dedicated to grinding it away. (The necrosis of liberal idealism was acutely evident when the Democrats' top "realist," Zbigniew Brzezinski, a senior adviser to the Obama campaign, recently insinuated that America should be prepared to shoot down Israeli jets to defend Iran's nuclear program.)

Hence the New Liberal idealists' top priority is for the American Gulliver to fall into line with the ranks of Lilliputians. And this is pretty thin gruel as far as idealism goes. The actions of the U.N. are, on a global level, the equivalent of seeing a little girl fall down a well and saying in response: "Let's form a committee." Actually, they are worse than that, because some of the committees at the U.N. are notorious for throwing little girls down wells. That's why the excitement among liberal commentators over Obama's decision to join the U.N. Human Rights Council—a den of villainy if ever there was one—was so depressing, and why Obama's touting this decision as one of the noblest accomplishments of his administration is nothing short of perverse.

To see the enervating effects of this new idealism, consider Darfur. The genocide there was so bad it distracted George Clooney from supermodels. But what, exactly, does George Clooney want America to *do*? If you visit the website of "Not On Our Watch"—an organization founded by Clooney, Matt Damon, Brad Pitt, and other very concerned attractive people—you'll be hard pressed to find an answer. "Not On Our Watch is committed to robust international advocacy and humanitarian assistance. . . . We encourage governing bodies to take meaningful, immediate action to protect the vulnerable, marginalized, and displaced." Let's form a committee!

Darfur activists implore Obama to "find" a "resolution" to the Darfur problem, as if such a resolution were like a lost cufflink. Just find it! In the meantime, what can you do? Well, Not On Our Watch says you can "stay informed" and tell your representative that you are concerned. You can give money to relief groups. You can "take a stand." But once you get beyond the high-school-oral-report rhetoric, you'll discover that taking a stand means asking the U.N. to adopt a binding resolution to form an ad hoc committee on stand-taking. The U.S. government—run entirely by the group's fellow liberals—isn't to be part of the solution at all. Last year, at the U.N. ceremony for Clooney's anointment as a "Messenger of Peace with a special focus on peacekeeping," Clooney recounted his most recent visit to Darfur. The people there "see these bright blue hats and they feel a new energy in the air. They feel for the first time that this is the moment that the rest of the world, all the nations united, are stepping in to help them. There is only one chance to get this right. They believe you when you tell them that hope is coming. They know that only the United Nations can help on this scale. They know it, and you know it."

Of course, whether Clooney knows it or not, this is laughable jackassery. The U.N.'s record of stopping ethnic cleansing and genocide is on par with its record of supporting winning NASCAR teams. That's why Clinton "illegally" ignored the U.N.

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to intervene in Kosovo. In 1994, genuinely heroic U.N. blue helmets from Belgium were asked to maintain stability in Rwanda. Ten of them were captured by Hutu soldiers (some reports say they voluntarily handed over their weapons per U.N. guidelines). The Belgian paratroopers were mutilated and tortured to death. After this atrocity, the Belgian blue helmets quickly left Rwanda and the genocide commenced. U.N. failures—of either resolve or ability—can also be catalogued in East Timor and Iraq.

Likewise, there will never be an effective multinational U.N. peacekeeping force in Darfur, not least because the Russians and the Chinese represent two Sudanese vetoes on the Security Council. Indeed, as Mark Steyn noted in 2004, at precisely the moment the Sudanese Janjaweed intensified their slaughter at home, the Sudanese cookie-pushers at Turtle Bay were accepting a three-year stint on the Human Rights Commission (that was before it became a "Council," by the way—and who among us doubts that the name change will make all the difference in the world?). The first task for the Sudanese "human-rights commissioners"? Denouncing Abu Ghraib, Guantanamo Bay, and Israel, Israel, Israel.

The feckless asininity and moral bankruptcy of the U.N. are the best illustration of how confused both the so-called liberal realists and the so-called liberal idealists are. If something is truly morally compelling, if our conscience forces us to take action, who cares whether the U.N. approves? Obviously it'd be nice to get some help, but how is it a moral failing on our part to shoulder more of the burden? A similar argument holds for the realists. The notion that the "international community" has America's best interests at heart is palpably absurd. According to the Nobel Committee, President Obama won the Peace Prize because "his diplomacy is founded in the concept that those who are to lead the world must do so on the basis of values and attitudes that are shared by the majority of the world's population." For someone who believes that "citizen of the world" is a serious and legitimate concept, that makes sense. But if you believe that the United States of America is a sovereign entity whose sovereignty rests in its people, and that its leaders have an obligation to be jealous guardians of the American people's interests, then conducting a foreign policy according to a global opinion poll is nonsense on stilts.

OBAMA has now said twice—in his two most important foreign-policy speeches, the one in Cairo and the one at the U.N.—that no country "can" or "should" dominate, or impose a system of government on, another. No statement better encapsulates how unidealistic and unrealistic the New Liberalism is. Men *should* not murder other men, but they most certainly *can.* The story of international relations has been the story of domination and imposition, often for ill, occasionally for good. Any foreign policy that doesn't recognize this cannot be called realistic. And, in an important respect, any foreign policy that thinks America has neither the power nor the moral authority to impose its will when our conscience moves us cannot be called usefully idealistic either.

So, again, what use is liberalism on questions of foreign policy, beyond the rah-rah-for-multilateralism stuff? The Taliban throws acid in the faces of little girls trying to learn to read. If conservatives have to be the ones to point that out, what are liberals good for? **NR**

Lone Star SHOWDOWN

An up-close look at the Hutchison–Perry gubernatorial contest

BY JOHN J. MILLER

KAY BAILEY HUTCHISON probably wishes she could have a do-over. On August 17, at the Republican senator's kick-off event for her gubernatorial candidacy in Texas, just about everything went wrong. An announcer repeatedly mispronounced the name of her hometown, La Marque (it's "Luh Mark," not "Luh Mark-EE"). The audience was so sparse that campaign staffers had to ask attendees to move out of the bleachers and onto the floor of a high-school gym so that photo and video images might create the illusion of a crowd. The mayor of nearby Texas City showed up but couldn't join Hutchison on stage due to the absence of a wheelchair ramp. The program—the first in a long day of appearances for Hutchison—started almost an hour late. The event "didn't go exactly as scripted," deadpanned reporter T. J. Aulds in his account for the Galveston County *Daily News.*

Neither has Hutchison's campaign. She once looked like a shoo-in. For years, she had quietly plotted her bid, waiting for the right moment to run. Her bank account was flush with funds. Polls suggested that she was the most popular officeholder in the state.

Then Gov. Rick Perry, who took office when George W. Bush decamped for Washington and is now the longest-serving governor in Texas history, announced his intention to seek a new four-year term. This set up a costly and bitter contest. Lots of Republicans have voted for both candidates several times. Now they'll have to make a choice. The Hutchison–Perry showdown comes on March 2, in a statewide GOP primary.

Excitable pundits will call it a "battle for the soul of the Republican party," which it isn't. Between now and the first Tuesday in March, however, few elections in the United States will generate more interest and ink. It features not only the two most prominent politicians in Texas, but also plenty of colorful details. It's a man opposing a woman, a pol who has stayed in the state against one who has made her career in Washington, and a Longhorn versus an Aggie: Hutchison is a former University of Texas cheerleader and Perry is a former Texas A&M yell leader.

So far, the race has generated plenty of boos and hisses: The candidates and their campaigns routinely attack each other in interviews and on websites. In January, when television ad rates drop, the battle will move to the airwaves. For those who enjoy politics as theater, this election holds great promise. It could all come down to a debate blunder or a last-minute accusation of failing to rewind a rented VHS tape a decade ago. A September poll of primary voters by Rasmussen showed a dead heat: Hutchison 40 percent, Perry 38 percent, and 19 percent undecided.

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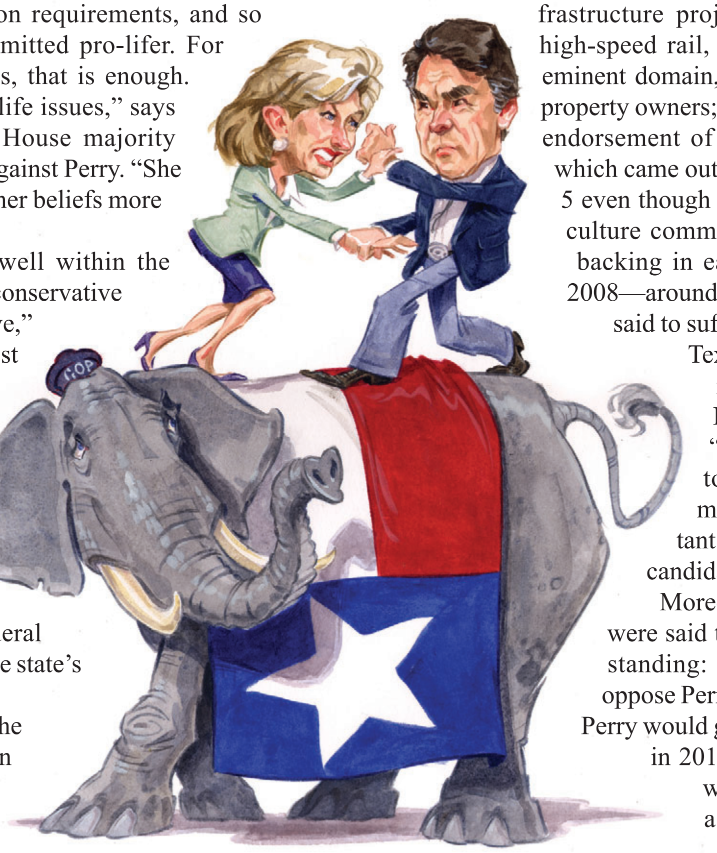
Whatever the result, it will come at a high price. Hutchison and Perry plan to batter each other with a combined $50 million. The race will be costly in other ways, too. In a normal political cycle, the Lone Star State exports GOP funds to other states; over the next several months, it will devour them. This money won't be spent defending seats in the U.S. Senate, where a rash of retirements will make Republicans vulnerable despite their already having lost so many moderate districts. The lost cash also will complicate pick-up opportunities in the House. The Texas primary will wind up functioning like a parasite on the Republican body politic. Down-ticket Republicans in Texas will suffer as well. Their campaign dollars could become as scarce as the spectators at Hutchison's kick-off rally. That giant sucking sound you hear is the noise of personal ambition, as a conservative governor squares off against a slightly less conservative senator.

The 66-year-old Hutchison has flirted with running for governor before. She came close in 2002, when Perry was pursuing reelection for the first time, but demurred. She came even closer in 2006, but didn't jump in then, either. "I stepped back for the good of the party," she says. "I also thought Perry would get better." Hutchison ran once again for the Senate, breaking a promise not to serve more than two full terms. She explains her decision as good for Texas because it preserved the state's position in the Senate's seniority-centered pecking order.

As a senator, Hutchison has earned a mark of nearly 90 percent from the American Conservative Union. Yet she has a history of ruffling social conservatives, especially on life issues: Hutchison does not believe *Roe* v. *Wade* should be overturned, and she has favored stem-cell research that involves the destruction of human embryos. She supports plenty of restrictions on abortion—a ban on partial-birth abortion, funding prohibitions, parental-notification requirements, and so on—but she is not a fully committed pro-lifer. For some anti-abortion conservatives, that is enough. "She gets a bum rap on right-to-life issues," says Dick Armey, the former GOP House majority leader, who supports Hutchison against Perry. "She votes the right way." Others find her beliefs more troubling.



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Hutchison insists that she's well within the Republican mainstream. "I'm a conservative who will govern as a conservative," she says. She ticks off her proudest accomplishments in Washington: the passage of a homemaker IRA, which primarily helps stay-at-home moms save for retirement; a bill that permits the deduction of state and local taxes from federal filings; and "bringing federal dollars to Texas" for improving the state's universities.

After more than 16 years in the Senate—she was first elected in 1993, following Lloyd Bentsen's appointment to the Clinton cabinet—Hutchison has given conservatives a long list of grievances. She has voted for the expansion of health-care entitlements, from Medicare prescription-drug coverage to the S-CHIP program. As a member of the Appropriations Committee, she is fully vested in the culture of earmarks and has fought efforts to restrict them. The Perry campaign has dubbed her Kay "Bailout" Hutchison, on account of her support for the financial-rescue bill last year. Conservatives with longer memories recall her role in the Tailhook investigation, whose collateral damage led to the blacklisting of naval officers who were not guilty of any misconduct.

Perry has his own vulnerabilities. The 59-year-old governor is a former Democrat who headed Al Gore's 1988 presidential campaign in Texas and became a Republican the next year. He stumbled during his last election, in 2006: He won with only a 39 percent plurality against Democrat Chris Bell and two independent candidates. (That same year, Hutchison cruised to reelection with 62 percent of the vote.)

Despite barely crossing the finish line in 2006, Perry proceeded to alienate his base of social conservatives by signing an executive order to require that schoolgirls receive HPV vaccines, which protect against a sexually transmitted disease that can cause cervical cancer. It came out that his former chief of staff had become a lobbyist for a drug company that stood to profit handsomely from the rule. Perry had to backpedal, and the legislature blocked his directive. "We probably should have done it as an opt-in rather than an opt-out," he says now, meaning that the initiative should have had a more voluntary flavor. "For me, though, this issue is about life. That's one of my core values." Hutchison calls his approach "breathtakingly arrogant."

There were other missteps. A new tax angered many small-business owners. The Trans-Texas Corridor, a massive infrastructure project featuring toll roads, high-speed rail, and the extensive use of eminent domain, upset ranchers and other property owners; it may have cost Perry the endorsement of the Texas Farm Bureau, which came out for Hutchison on October 5 even though Perry, a former state agriculture commissioner, had received its backing in earlier races. In 2007 and 2008—around the time Americans were said to suffer from "Bush fatigue"—Texans were arguably experiencing "Perry fatigue." Many figured he'd retire. "His numbers were in the toilet," says Allen Blakemore, a Republican consultant who has worked for both candidates.

Moreover, Hutchison and Perry were said to have come to an understanding: If Hutchison would not oppose Perry's reelection bid in 2006, Perry would get out of Hutchison's way in 2010. "About four years ago, when the senator expressed a desire to run, Perry con-

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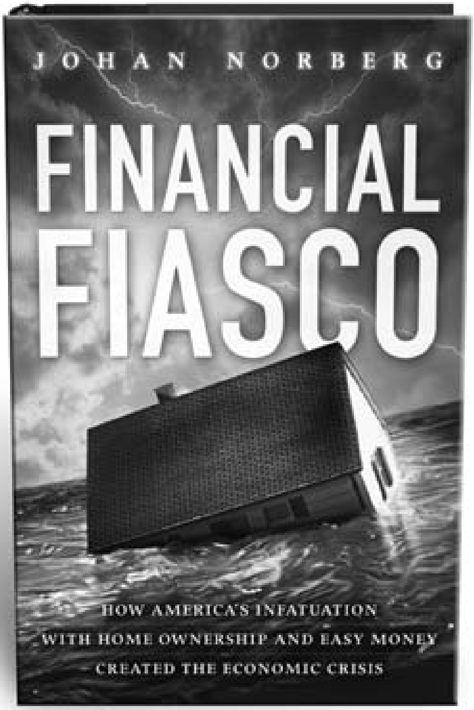
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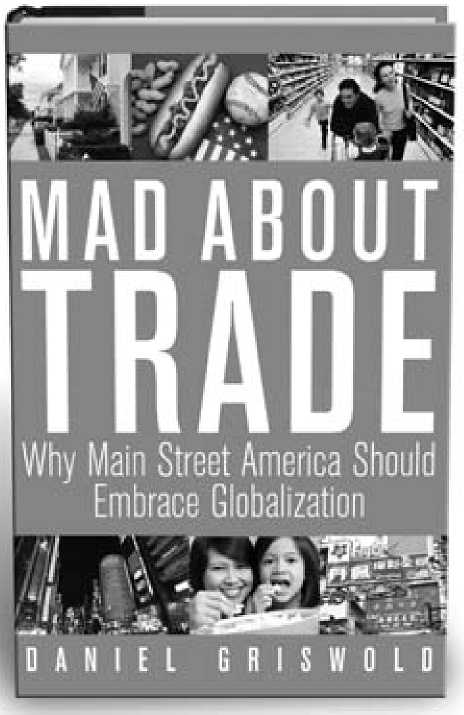
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tacted me and others and said you need to talk her out of running this time—he said that 'next time is her time,'" says John Nau, a Houston beer distributor who has backed Perry in the past but is now Hutchison's finance chairman. "I talked to Kay about it. She asked for my support in 2010. That was locked down." Hutchison certainly believes there was an arrangement with Perry. "I never talked to him about it," she says. "But others did." For his part, the governor denies making any promises. "That's an urban legend put forward by her camp," he says. "There isn't any truth to it."

Deal or no deal, Perry announced last year that he would run again for an unprecedented third full term. If he wins and completes the term, he will have served as governor for 14 years. Since he threw his cowboy hat in the ring, just about everything has gone Perry's way. He patched up relations with social conservatives. Phyllis Schlafly already has endorsed him. Bill Bennett is about to sign on, and so is Tony Perkins of the Family Research Council.

Perry altered that unpopular business tax. The Trans-Texas Corridor conveniently disappeared from Austin's drawing board. When the governor talks about the need for a "Tenth Amendment movement" that liberates the states from federal interference—it's one of his major talking points these days—he sounds like a 1994 Republican crusading against unfunded mandates. His rhetoric has helped him tap the energy of tea-party activists. In Texas, his approval rating has rebounded from its low point about a year and a half ago. It now stands at 69 percent among Republicans. During the legislative session this spring, he balanced the Texas budget at a time when other states struggled to make ends meet.

All this led to what may be Perry's trump card: the state of the Lone Star State. "We're weathering the recession relatively well because we tax less and spend less, and Rick Perry has a lot to do with that," says Brooke Rollins, president of the Texas Public Policy Foundation, a free-market think tank (she is also Perry's former policy director).

Admittedly, the financial crisis has walloped every state, including Texas. The Dallas Federal Reserve has estimated that Texas will lose more than 300,000 jobs this year. Yet unemployment remains a couple of points below the national average, and the home-foreclosure rate is low. In July, NATIONAL REVIEW's Kevin D. Williamson documented the state's economic resilience in an article called "Going Alamo." *The Economist* recently followed suit with a mostly favorable ten-page special report on Texas; a cover cartoon contrasted a grinning, muscle-bound, jet-skiing Texan with a pudgy, crab-bitten Californian who carries a cracked surfboard. This has become a new journalistic subgenre: articles about the Texas success story.

Perry is by no means the sole author of these accomplishments, but he is a big contributor—which puts Hutchison in the odd position of having to credit her opponent while minimizing the state's achievements under his governorship. "Texas is doing well in spite of what Perry has done," she says. She applauds the governor for his tort-reform efforts, though she also gives a nod to his predecessor: "Bush started it, Perry continued it." The shame of the state, she says, is public education: "We have the highest dropout rate in the country. We need an educated work force. We need more tier-one universities. That will be my highest priority." She says she would try to lift the cap on charter schools.

Hutchison also says she would revive the GOP in Texas. A party that currently occupies all of the statewide elected offices—there are 27 of them, from governor to railroad commissioner—hardly seems in need of reinvigoration. But Hutchison worries about long-term trends. "We've dwindled in power, influence, and numbers," she says. "We're starting to lose in the biggest counties." Republicans still run the state house, but only by a two-seat margin. Further slippage would imperil the GOP's ability to control congressional redistricting after the next census, when Texas is expected to gain three or four seats. Most important may be the state's Hispanicization. If Republicans don't figure out a way to win the votes of Mexican Americans, Texas will start to look like South Texas, where Democrats never have lost their grip on power. Hutchison probably needs their help; Texas holds open primaries, which means that Democrats and independents can participate.

The good news for Republicans is that either Hutchison or Perry will be a heavy favorite in November: So far, the Democrats have failed to offer a credible alternative. A few potential candidates may be waiting to see if Hutchison makes good on her pledge to resign her Senate seat, which would force a special election. "I had hoped to be gone by now," says Hutchison. "But I'm not walking out on health-care reform." She says she wants to fight the Obama administration's initiatives.

The case for Perry in a nutshell is that he has been a successful conservative governor and therefore deserves a new term. For Hutchison, it's that ten years is enough and a fresh face deserves a chance. When all is said and done, it will be hard not to think that Texas Republicans could have saved a lot of time and trouble if Hutchison and Perry had simply gotten together and flipped a quarter. Instead, they're going to spend about 200 million of them. **NR**

The case for Perry is that he has been a successful conservative governor and therefore deserves a new term. For Hutchison, it's that ten years is enough and a fresh face deserves a chance.

The Insurance FIX

We need targeted reforms, not a federal takeover

BY JAMES C. CAPRETTA & THOMAS P. MILLER

EVEN in June, well before those rowdy August town-hall meetings laid to rest all doubt about where the public stands on Obamacare, the administration knew it had a problem. For months the president had been trying to make his case for health-care reform but had mostly offered vague pronouncements about the need to extend insurance coverage and "bend the cost curve." When the details began coming to light in late spring, and the public got a good look at what the administration and its allies in Congress actually have in mind, the polls showed a decisive and almost instantaneous shift against enactment of anything so sweeping. Americans intuited that what the president was pushing would not lower their costs but would instead saddle them with heavy new taxes and additional government debt, while an extended federal bureaucracy would interfere with what they like about their health care today.

So Team Obama went back to the drawing board—but they didn't draw up new policies, only a new political game plan. They decided that what was needed was not new ideas but a new marketing catchphrase for the existing ones. And, so, gone for good is "health-care reform." What Congress is working on this year is "health-insurance reform."

The president's speechwriters got the memo and have peppered his recent addresses on health care with the language of insurance reform, which apparently resonates better in focus groups than does talk of "cost curves," a term that suggests the reduction of benefits rather than their expansion. The reason to pass a health-care bill, the president now says, is to prevent insurance companies from excluding patients with preexisting conditions from coverage and to require them to issue policies to all comers at rates that do not take into account individual health risks.

So far, the change in messaging has not worked. The health-care plans now under consideration in Congress are becoming more unpopular with each passing month despite a full-court public-relations press by Democrats and interest groups allied with them. For good reason, the public is simply not buying the notion that $1 trillion in new federal spending, massive new taxes, employer mandates, deep cuts in Medicare, an entirely new government-run insurance plan, and federal intrusion into the practice of medicine is going to lower their costs and improve the quality of their care.

Moreover, most Americans are satisfied with their current insurance and do not believe a government takeover of all insurance arrangements is needed to eliminate unfair discrimination. And they're right: It isn't necessary.

At the same time, Americans have serious misgivings about the operation of some portions of the insurance market, and with some justification. There are cracks in it, and people fall through them—not necessarily through any fault of their own. The precise number of people who do so is not known, but it is certainly far fewer than what is implied by overheated rhetoric. For example, the last definitive survey by the federal government found that less than 1 percent of the total population under age 65 (about 2 million people) had ever been denied insurance because of a medical condition. But most Americans know that this possibility exists, either from direct experience or from anecdotal information, and President Obama is playing upon their fear of it to create pressure for his much more sweeping policy ambitions. If conservatives want to prevent a full and irreversible government takeover of health care, they must address the public's insecurity with an alternative solution—one that makes it plain that Obamacare is entirely unnecessary.

THE principle informing a sensible insurance-reform bill is straightforward and politically appealing: If Americans remain in continuous coverage in today's system of voluntary private insurance, they should be guaranteed access to coverage, with premiums that do not unduly penalize them for developing health conditions that raise their risk profiles. This objective is achievable with a few changes in existing insurance laws.

The chief problem with the present system is that health insurance is not truly portable. Workers getting insurance from their employers don't own their policies—the firms do. So when an employee leaves a company, for whatever reason, he has to switch insurance plans. In the process, he may become vulnerable to coverage exclusions and to spikes in premiums.

A 1996 law called the Health Insurance Portability and Accountability Act (HIPAA) tried to give workers with continuous insurance coverage a measure of protection against these risks. Today, owing to HIPAA, when a worker goes from one job-based plan to another without an extensive lapse in coverage (the cutoff is about two months), a preexisting condition cannot be excluded from the coverage offered; the worker must be given coverage on the same terms as everyone else in the employer group.

But sometimes workers go from group-rated (i.e., employer-owned) policies to the individual health-insurance market, in which policies are sold directly to consumers, not to their employers—for instance, when they lose their jobs, retire early, or join companies that don't offer insurance. In theory, HIPAA extended portability protections to these workers, too, but its provisions aren't satisfactory for a number of reasons. This is where most of the cracks need to be filled.

To begin with, many workers moving from group insurance to the individual market end up with no protection at all, because they don't know about the law's fine print: In order to have guaranteed access to individual coverage that cannot exclude a

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preexisting condition, workers must first exhaust their right to continuous coverage with their former employer's plan. But paying for insurance in an ex-employer's job-based plan—an arrangement called COBRA coverage, for the federal law that enabled it—is rarely cheap. The premium paid by the former employee must cover the full cost of coverage, including the share that the employer used to pay, and workers insured through COBRA also lose access to certain tax preferences. (This year's stimulus legislation provided more generous terms for some recipients of COBRA coverage, but for only a limited time.) Additionally, employer-based plans usually are quite comprehensive, and therefore costly, with premiums often amounting to more than the ex-employee will be willing or able to pay, particularly if he has become unemployed. Many people therefore inadvertently waive their HIPAA rights by declining COBRA coverage; then, when they try to buy policies on the individual market, they discover that they are vulnerable to exclusions based on preexisting conditions.

Even if workers satisfy HIPAA's continuous-coverage requirement, the law gives them no relief from the premiums they face in the individual market. Many states impose some form of rating restriction (price controls on premiums) and guarantee access to at least two choices of policy in the individual market; but in most states, insurers are allowed to "underwrite" new entrants into the individual market, meaning that they can demand a health screening and take particular risks into account when calculating the premium they will charge. So a family with a child suffering from a chronic ailment may suddenly find itself facing premiums several times the average simply because it has moved from a job-based to an individual plan.

Likewise, HIPAA provides no premium protections for persons moving between individual insurance policies. A healthy worker who leaves an employer plan for the individual market could probably find an affordable plan—but if he ever wanted to switch insurers, he would face the prospect of having his premium recalculated based on a new assessment of his health status. If he should become seriously ill while enrolled in an individual plan, he cannot be reassigned to a different risk category so long as he remains with the same insurer. But he loses that protection if he changes insurers—which he might be forced to do if, for instance, he moves to a new state. In effect, the existing rules lock many people into plans—and therefore employment and living situations—they might otherwise wish to leave.

TARGETED changes are in order here, not a trillion-dollar government takeover of the health-care industry. The appropriate changes are reasonably straightforward.

First, workers leaving job-based plans for the individual market should be able to do so without being penalized for failing to exhaust their COBRA rights. Any such worker should be protected from having coverage denied based on a preexisting condition.

Second, the premiums insurers may charge customers moving from the group market to the individual market should be limited to no more than 1.5 times the standard rate. That means insurers could take higher health risks into account when calculating premiums, but the maximum rate would be no more than 50 percent above what is charged to customers without unusual risk factors. (States should be permitted to continue to allow premium differentials above this limit based on geographic and demographic factors, including age.)

It is inevitable that some entrants into the individual market will have ailments that are more costly than what can be covered under the premium ceiling. Who will cover the excess costs? Most congressional Democrats' preferred solution is to use coverage mandates and price controls to legislate higher premiums for the healthy. In a voluntary marketplace, this would be entirely self-defeating. Every state that has tried it has seen an exodus of healthy people out of the insurance market, which pushes up the average costs for all who remain. Hence the Democrats' push for an "individual mandate"—an insurance market you can never leave—and for tighter insurance-rating restrictions. The bottom line is that this approach would force healthy people to pay higher prices for a limited menu of government-approved insurance plans.

A better alternative, and one much less disruptive to current policyholders, would be to provide adequate and sustainable funding of high-risk pools. Today, most—but not all—states have subsidized high-risk pools that are intended to reduce premiums in the

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individual marketplace for people with expensive preexisting conditions. They are the most common way for states to comply with HIPAA's requirement that workers leaving group plans have access to the individual market.

Unfortunately, these pools haven't worked well, largely because they have invited a mismatch between funding and demand. State and federal subsidies for high-risk pools have been meager relative to the size of the problem they are intended to address, and insurers have been able to steer applicants toward the pools with impunity. Politicians tend to prefer rate restrictions and hidden subsidies to more transparent and straightforward funding for high-risk pools, because the former measures are off-budget and seemingly costless to taxpayers. In truth, that approach backfires, imposing heavy burdens on a very narrow base of private purchasers in the individual market.

There should be substantial new federal funding for these high-risk pools—but also new operating rules. If an applicant's health status argues for a premium higher than 1.5 times the standard rate, insurers should be able to apply for a high-risk-pool subsidy. The job of determining eligibility for the subsidy should be contracted out to a neutral third party with experience in medical-insurance underwriting. If that party, based on mutually agreed-upon underwriting criteria, finds no basis for designating the applicant an unusually high risk, the insurer making the application would be required to take the applicant at no more than the maximum rate of 1.5 times the standard premium.

The existing rules lock many people into plans—and therefore employment and living situations—they might otherwise wish to leave.

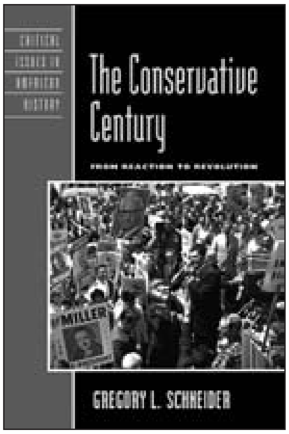
New funding for high-risk pools could come from a number of federal and state sources, including a reduction in payments made to hospitals for care provided to the uninsured and a penalty on individual-market insurers that forward too many unqualified risks to the high-risk pool.

The third necessary change is a requirement that insurers participating in the individual market offer coverage without a new risk assessment to anyone who has a current individual policy in the state. This would mean that market entrants would face a risk evaluation only once and then would have the right to policy renewal at their rate class from any licensed insurer in the state.

Finally, there is the question of the uninsured. The intent of the proposals we have outlined is to establish strong protections for those who remain in continuous coverage, but there ought to be an opportunity for those outside of the system to opt back in based on the new protections they would gain. The risk of moral hazard requires that it be a one-time offer. Moreover, these uninsured applicants would have to face some sort of health evaluation, because of their high expected costs. One approach would be to allow premiums for this group to go as high as twice the standard rate before an insurer could apply for high-risk funding.

Of course, many of the problems in the insurance market, including the problem that many persons who wish to be insured are not, would be greatly diminished if we ended the current preferential tax treatment for employer-based insurance and instead offered a tax credit for the purchase of individual insurance. But even absent such a reform, we can provide more insurance security, and we need not authorize a federal takeover of the health-insurance market in the process. Most Americans want health insurance and will secure it, given the right incentives. The targeted changes described here would help many more of them do so—without punishing everyone else. **NR**

THE RIGHT WAY!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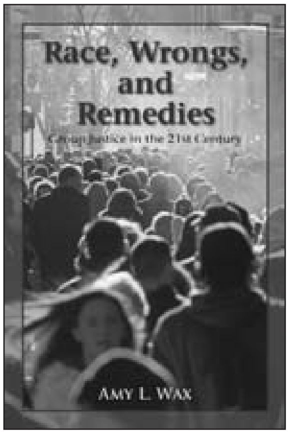

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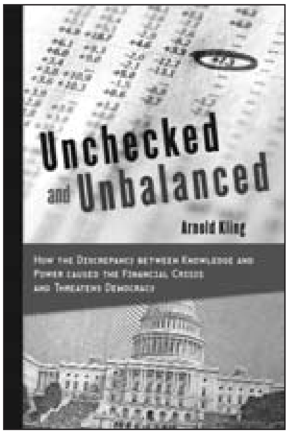
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Throughout the year, prominent Democrats have advocated a variety of bad proposals concerning energy policy. These have ranged from the irksome (subsidies for inefficient "alternative energy" sources) to the truly awful (a cap-and-trade scheme that would kneecap the American economy). In this special section, we present five better ideas.

1

Fission, Baby, Fission!

We need a hundred new nuclear plants

BY LAMAR ALEXANDER

To cut carbon emissions, the House of Representatives has devised a cap-and-trade plan that also mandates a switch to renewable resources—wind, sunshine, and "biomass"—for 20 percent of our energy by 2020. Democrats on the Senate Energy Committee have proposed a similar mandate. Meanwhile, the Obama administration is threatening to cut carbon-dioxide emissions by executive order. The most certain consequence of these proposals is that they will raise prices and send jobs overseas.

I have a better suggestion. Why don't we build 100 new nuclear reactors over the next 20 years, as we did between 1970 and 1990? We would lead the world in fending off global warming, vastly improve our energy security, create hundreds of thousands of jobs, and provide ourselves with clean, reliable, low-cost power.

It seems an obvious solution, but it's not happening. There has been a decade of talk about a "nuclear renaissance," but only in 2007, after Congress finally overhauled the license-application process, was a New Jersey company—NRG Energy Corp.—able to file the first license application in 30 years with the Nuclear Regulatory Commission. If they're lucky and the NRC, which hasn't reviewed an application in 30 years, is able to meet its goal of getting the review done in four years, they may get a license by 2011 and a reactor up and running by 2017. The NRC now has 21 other applications pending or expected, and the Department of Energy has awarded four of them federal loan guarantees. The hope is that, once the first few reactor designs and the applications for specific construction licenses get through the NRC's review process, reactors can be built in a reasonable amount of time. It shouldn't be that hard: The Japanese are completing them in less than four years.

Much of the world is moving ahead. At the U.N. Climate Change Summit last month, Chinese president Hu Jintao said his country will "vigorously" expand its nuclear production. China started looking at reactors only in 2006 but has 132 on the drawing boards already. Russia has decided to double its nuclear capacity. Japan gets 36 percent of its electricity from nuclear and has two new reactors under construction. France gets nearly 80 percent of its electricity from nuclear and has among the cheapest electricity rates in Western Europe.

The nuclear renaissance *is* well under way. It just hasn't reached our shores.

Why is it important that we pursue nuclear, which produces 70 percent of our carbon-free electricity today? Because there simply won't be any other way to meet the energy demands of the 21st century unless we go on burning a billion tons of coal each year.

Renewable solar and wind energy, the president's solution, is an intermittent source of power: It works only about a third of the time. Until we figure out how to store vast amounts of electricity, wind and solar can provide only part-time power.

Renewable resources are also afflicted with what the Nature Conservancy calls "energy sprawl." That is, they take up staggering amounts of land. Interior Secretary Ken Salazar has proposed using 1,000 square miles of western lands to generate 33,000 megawatts of electricity from new solar installations. You could get the same from 25 new reactors that would fit comfortably onto existing nuclear sites. To meet the president's goal of generating 20 percent of our electricity from wind, we would need to build 186,000 wind turbines, and they would cover an area the size of West Virginia.

Reactors are the answer. The same people who built them in the past—the utility companies—would build the new ones, with ratepayers' money. What is needed for this is a limited number of government loan guarantees, to relieve the uncertainty of whether the new proposals are ever going to make it through the regulatory maze. Congress this year appropriated $18.5 billion, and Energy Secretary Steven Chu has suggested $40 billion, but we probably need closer to $100 billion. The Congressional Budget Office estimates this would cost the government very little money because the energy companies would pay back the loans.

There are questions concerning safety and nuclear waste. On the former, according to Energy Secretary Chu—a Nobel Prize–winning scientist—the nuclear-energy industry's record is "really very, very good." And as far as waste is concerned, Chu says we can safely store spent fuel in on-site dry casks for the next few decades. In that time we can commercialize processes currently being researched at the Department of Energy to recycle the waste without producing pure, weaponizable plutonium, reduce the waste to only 3 percent of its original volume, and shorten the time that it is dangerously radioactive from a million years to only 300, at which time it will be no more radioactive than the original uranium ore was.

The real problem with nuclear energy is that it is surrounded by unwarranted fear. With the conspicuous exception of Secretary Chu, Obama officials are able to wax eloquent only about blanketing the landscape with 186,000 unreliable, 50-story windmills or thousands of square miles of solar collectors. When I try to talk to them about nuclear power, they seem to get a sudden case of indigestion.

Nuclear power has to be a subject we can talk about. And we'd better do a lot more than talking, soon. Otherwise, we're going to find ourselves trailing the world in providing low-cost, clean, reliable energy, and our high-paying jobs will head overseas looking for cheap, carbon-free, reliable electricity produced by foreign nuclear plants. **NR**

Mr. Alexander is a Republican U.S. senator from Tennessee.

You deserve a factual look at . . .

Arabian Fables (I)

How the Arabs soften up world opinion with fanciful myths.

Josef Goebbels, the infamous propaganda minister of the Nazis, had it right. Just tell people big lies often enough and they will believe them. The Arabs have learned that lesson well. They have swayed world opinion by endlessly repeating myths and lies that have no basis in fact.

What are the facts?

The "Palestinians." That is the fundamental myth. The reality is that the concept of "Palestinians" is one that did not exist until about 1948, when the Arab inhabitants of what until then was Palestine, wished to differentiate themselves from the Jews. Until then, the Jews were the Palestinians. There was the Palestinian Brigade of Jewish volunteers in the British World War II Army (at a time when the Palestinian Arabs were in Berlin hatching plans with Adolf Hitler for world conquest and how to kill all the Jews); there was the Palestinian Symphony Orchestra (all Jews, of course); there was The Palestine Post, and so much more.

> "The web of lies and myths that the Arab propaganda machine has created plays an important role in the unrelenting quest to destroy the State of Israel. What a shame that the world has accepted most of it!"

The Arabs, who now call themselves "Palestinians," do so in order to persuade a misinformed world that they are a distinct nationality and that "Palestine" is their ancestral homeland. But, of course, they are no distinct nationality at all. They are entirely the same — in language, customs, and tribal ties — as the Arabs of Syria, Jordan, and beyond. There is no more difference between the "Palestinians" and the other Arabs of those countries than there is between, say, the citizens of Minnesota and of Wisconsin.

What's more, many of the "Palestinians," or their immediate ancestors, came to the area attracted by the prosperity created by the Jews, in what previously had been pretty much of a wasteland.

The nationhood of the "Palestinians" is a myth.

The "West Bank." Again, this is a concept that did not exist until 1948, when the army of the Kingdom of Transjordan, together with five other Arab armies, invaded the Jewish state of Israel, on the very day of its creation.

In what can almost be described as a Biblical miracle, the ragtag Jewish forces defeated the combined Arab might. But Transjordan stayed in possession of the territories of Judea and Samaria and part of the city of Jerusalem. The Jordanians promptly expelled all Jews from the area that they occupied, destroyed all Jewish institutions and houses of worship, used Jewish cemetery headstones to build military latrines, and renamed as "West Bank" what had been Judea and Samaria since time immemorial.

The attempt, quite successful, was to persuade an uninformed world that these territories were ancestral parts of the Jordanian Arab Kingdom (itself a very recent creation of British power diplomacy). Even after the total rout of the Arabs in the 1967 Six-Day War, in which the Jordanians were driven out of Judea/Samaria and of Jerusalem, they and the world continued to call this territory the "West Bank", a geographical concept that cannot be found on any except the most recent maps.

The concept of the "West Bank" is a myth.

The "Occupied Territories." After the victorious Six-Day War, during which the Israeli army defeated the same cabal of Arabs that had invaded the country in 1948, Israel remained in possession of Judea/Samaria (now renamed "West Bank"), which the Jordanians had illegally occupied for 19 years; of the Gaza strip, which had been occupied by the Egyptians but which (hundreds of miles from Egypt proper) had never been part of their country; and of the Golan Heights, a plateau of about 400 square miles, which, though originally part of Palestine, had been ceded to Syria by British-French agreement.

The last sovereign in Judea/Samaria and in Gaza was the British mandatory power — and before it was the Ottoman Empire. All of Palestine, including what is now the Kingdom of Jordan, was, by the Balfour Declaration, destined to be the Jewish National Home. How then could the Israelis be "occupiers" in their own territory? Who would be the sovereign and who the rightful inhabitants?

The concept of "occupied territories" in reference to Judea/Samaria (often called the "West Bank") and Gaza is another of the many myths created by Arab propaganda.

Unable so far to destroy Israel on the battlefield — though they are feverishly preparing for their next assault — the Arabs are now trying to overcome and destroy Israel by their acknowledged "policy of stages". That policy is to get as much land as possible carved out of Israel "by peaceful and diplomatic" means, so as to make Israel indefensible and softened up for the final assault. The web of lies and myths that the Arab propaganda machine has created plays an important role in the unrelenting quest to destroy the State of Israel. What a shame that the world has accepted most of it!

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Pond-Scum Power

Going really green

BY KENNETH GREEN

SINCE the days of Richard Nixon, the United States has sought a replacement for oil, for reasons economic, political, and environmental.

Our reliance on oil makes our economy vulnerable to oil-price spikes. Each oil-price shock since the 1970s has been followed by an economic recession, and as our oil imports have risen, that impact has become more severe. Some economists credit the most recent oil-price spike with contributing to, or even kicking off, the global recession.

Also, keeping military equipment moving uses a lot of oil. The U.S. military uses 130 million barrels of oil each year, which is about how much the entire country of Sweden uses. The idea of being dependent on oil supplies from hostile regimes is troubling, as is the idea of facing guns and bombs that were purchased with dollars you provided.

Adding to the pressure to find a replacement for oil is the drumbeat of alarm over greenhouse-gas emissions, especially as China and India continue their economic development, adding millions of gasoline-powered vehicles to the world's roadways.

Unfortunately, an economically feasible replacement for oil is hard to find, because oil is a marvelous, energy-dense fuel, inexpensive compared with alternatives. Ethanol from corn, a favored contender as an alternative to gasoline, has lost its luster as it shows itself to be both economically and environmentally disastrous. (The government continues to subsidize it, of course.) Converting coal to liquid fuel is a proven technology, but it too fails tests both economic and environmental.

But a new contender has entered the ring. That contender is (drum roll)—pond scum. More precisely, algae, which can be turned into a renewable, environmentally friendly replacement for gasoline, diesel, aviation gas, and more. Algae fuels hold so much promise, in fact, that venture capital is pouring into their development even in the face of a massive recession—suggesting that, unlike other "green" fuels, it won't need government subsidies to thrive. More than 150 companies around the world are putting money into algae-fuel research. And you know things are serious when Big Oil buys in: Shell, Chevron, ConocoPhillips, and ExxonMobil have jumped into the pond with big money, hoping to find another source of liquid fuel to complement oil in meeting expected world demand. ExxonMobil is in the game to the tune of $600 million, serious money even for them.

Here's how it works. Algae use sunlight to convert carbon dioxide (the dominant man-made greenhouse gas) into sugar molecules, which they then convert into the myriad chemicals they need to live. They have high population-growth rates, and, most important, they're oily: About half their mass is fat, which can be chemically converted into diesel fuel, gasoline, aviation fuel, etc.

Several things make algae especially interesting from a fuel perspective.

First, the National Renewable Energy Laboratory estimates that algae can produce 10,000 times more oil per acre than other biofuel crops, such as soybeans. That means we can produce a significant amount of liquid fuel in a relatively small area. The Carbon Trust estimates that algae biofuels could displace 12 percent of annual global jet-fuel consumption by 2030, if aggressively developed. Estimated prices for algae biolipids are only slightly higher than those for oil, at $70 to $100 per barrel. Since algae fuels are more akin to gasoline than to alcohols, there's no need to change the existing infrastructure that transports liquid fuels to our many millions of vehicles, nor is there a need to change the vehicles themselves. A jet has already flown using algae fuel.

Second, algae don't compete with food crops for land. Algae don't need arable land, just flat land, where they're grown in long, oval, racetrack-like ponds. Algae can also be grown in enclosed growth systems, which can be just about anywhere there is a combination of warmth, sunlight, and surplus carbon dioxide.

Third, unlike ethanol, algae don't need to consume fresh water. They can grow on salty water, or even waste water, which they clean up as they grow. By contrast, according to some estimates it takes 140 gallons of fresh water to produce a gallon of corn ethanol.

Fourth, the stuff left over after you squeeze all the oil out of algae is a mixture of protein and sugars that can be used in many different products, including animal feed, bio-plastics, and pharmaceuticals, or you can just chuck it into a furnace and generate electricity from steam. We already use algae for all kinds of things, such as food, coloring agents, pharmaceutical production, and treating sewage.

Finally, there's the greenhouse-gas connection. Algae fed on the carbon dioxide in regular air are carbon-neutral. They pull carbon dioxide out of the air when they grow, and it's released back into the air when they're used as fuel. Even better, if they're fed on carbon dioxide from coal power plants or other combustion sources, and then used in place of oil-based fuel, they're carbon-negative; that is, their substitution for other energy sources would reduce the total amount of greenhouse gases emitted.

Of course, there are plenty of challenges to be overcome. The best strains for given growing conditions have to be identified and optimized. Algae grown in open ponds are susceptible to weather, predation, and disease. If fresh water is used, evaporation becomes a significant problem, increasing water use. Algae grown in bio-reactors are more stable, but that technology is still considerably more expensive than open-pond systems. Harvesting and drying the algae prior to processing is energy-intensive, unless you're in the desert, where the problem is again too much evaporation. Placing algae farms next to greenhouse emitters may be challenging, and the oil-extraction and chemical-conversion processes have to be made more efficient.

Will algae fuels let us have our Hummers and drive them too? Nobody knows yet, but with the private money pouring in from around the world, there's certainly nourishment for the scum to grow on. **NR**

Mr. Green is a resident scholar at the American Enterprise Institute.

A Century Behind

Our electricity regulations are stuck in the Progressive era

BY WILLIAM YEATMAN & IAIN MURRAY

It's the seemingly intractable problem of modern civilization: Americans need more electricity, they want lower greenhouse-gas emissions, and they want to get rid of ugly transmission towers.

Many consider these to be mutually exclusive goals. More electricity means more emissions and more transmission towers. In the pre–*An Inconvenient Truth* world, meeting electricity demand was paramount; now, new emissions are verboten. Power plants that once would have been approved quickly now are being turned down by governors and judges.

There is a simple way to accommodate all these disparate preferences: true deregulation of the electric industry. The $330 billion industry has been a redoubt of state control for almost 100 years. Early in the 20th century, pro-intervention Progressives concluded that electric companies would consolidate into "natural" monopolies that would exploit consumers. This was a curious conclusion to reach at a time when electric companies were competing vigorously in many cities, but for those who put faith in the regulatory state, theory trumps observation at every turn.

The Progressives' remedy for this theoretical drift toward natural monopoly, offered without any apparent appreciation of irony, was to establish government-mandated monopolies. States created commissions with the regulatory power to outlaw competition among utilities and set electricity rates for consumers. By the end of the Great Depression, almost all Americans bought their electricity from government-backed monopolies, and they continue to do so to this day, whatever regulation advocates might say about electricity deregulation in the 1990s.

This regulation may have shielded consumers from paying energy prices set by supply and demand, but they pay a high price in other ways. Without competition, there is no spur for innovation. For that reason, the systems of electricity transmission and distribution—the wires, towers, and poles that transmit electricity from the power plant to your home—have undergone very little upgrading since the regulators stepped in.

Suppose that an entrepreneur invents a wind-power technology that could provide affordable, reliable electricity to 50 houses, and that a developer wants to use this technology to power a small housing project he plans to build. The entrepreneur sells his product; the developer gets affordable, reliable energy; and environmentalists get their clean energy. It is win-win-win. It is also illegal, because it would violate the local utility's government-granted monopoly. Only one company is allowed to string a wire.

Under the Progressive-era regulatory model, government sets the price of power. It was this sort of price control—not deregulation—that led to the California blackouts in 2000 and 2001. In a summer when hydroelectric power was down, owing to decreased water availability after a mild winter, California utilities had to buy electricity at high rates from the deregulated sector but sell it at capped rates. As a result, the utilities' creditworthiness declined, which pushed them near bankruptcy. Then, instead of removing the cap on retail rates, California imposed a cap on wholesale rates. An Econ 101 student could have foreseen the result. The generators simply made less power available to California utilities while selling the rest in other states where they could actually get a fair market rate. Blackouts followed.

Rate regulation simply defies logic. If electricity were priced in accordance with market forces rather than government mandates, demand would decrease during peak hours, when electricity was more expensive. Decreased peak demand, in turn, would diminish the need for new transmission towers and distribution poles. If energy entrepreneurs were allowed to compete in a free electricity market, the possibilities would be endless for distributed, renewable generation technologies, such as small-scale wind and solar power.

In a truly competitive market, independent power producers could team up with telecom firms and property developers to share the cost of building underground networks to carry both energy and information. Recognition of utilities' property rights—in the form of underground and overhead rights-of-way currently occupied by transmission lines and cables—would make such enterprises even more attractive, and the resulting competition would lower prices for consumers.

The existing regulatory regime provides no incentive for energy entrepreneurs to emulate the sort of private partnerships that have been instrumental to the growth of the next-generation fiberoptic-telecommunications infrastructure. The chance of small, innovative neighborhood generators' emerging to challenge the behemoths that date from the Progressive era is much diminished by this regulatory stranglehold.

Predictably, government continues to miss the mark. In Washington, the administration and congressional Democrats want to overhaul the system by spending a king's ransom on technologies designed to give utilities the ability to moderate consumer demand—by, say, remotely turning down millions of thermostats during periods of peak use. Proponents call this a "smart grid," but it's a dumb policy, given that the U.S. could modernize the system without spending a taxpayer penny. This would require little more than encouraging states to dismantle the barriers to energy competition and recognizing the property rights of electricity producers. It would constitute genuine deregulation, and a genuinely innovative approach to energy policy. **NR**

For those who put faith in the regulatory state, theory trumps observation at every turn.

Mr. Yeatman is an energy-policy analyst at the Competitive Enterprise Institute. Mr. Murray is director of projects and analysis, and senior fellow in energy, science, and technology, at CEI.

4

Market Power

The mistake of subsidizing pet energy causes

BY JERRY TAYLOR & PETER VAN DOREN

THE story most conservatives tell about energy policy is different from the stories they tell about other economic-policy matters. Rather than defend free markets, they bang the table about the need for national energy plans and government timetables for energy-plant construction. (For example, see Lamar Alexander elsewhere in this issue.) We're told that markets will fail to provide the energy we need, fail to prevent demand for energy from surging beyond reason, and fail to attain such important objectives as environmental quality and a strong national defense.

The conservative case for government intervention in energy markets is just as flimsy as the liberal case for government intervention in any other sector of the economy. Energy markets may not work as perfectly as in a textbook model, but they work—and government works even less perfectly.

Consider one of the premises underlying the present energy-policy debates: the fear that our reliance on foreign oil leaves us vulnerable to supply disruptions. Most conservatives seem to believe that a reduction in imports will insulate us from price shocks caused by developments overseas. That is nonsense. A supply disruption anywhere will increase the price of crude oil everywhere for the same reason that an early frost in Florida will increase the price of citrus produced in Florida and California by roughly the same amount. Energy independence provides no protection against supply disruptions abroad.

Others fear that reliance on imports requires us to undertake military commitments to ensure that oil continues to flow. But producers have even more reason to worry about the safety of their facilities than we do and, likewise, more reason to ensure the security of international oil-shipping lanes. Hence, they have every incentive to defend their oil infrastructure, whether we help foot the bill or not.

No less a conservative than Dick Cheney argues that producers and consumers make bad decisions in energy markets: They fail to appreciate the profit opportunities associated with certain investments, he says, be they renewable, nuclear, clean coal, ethanol—whatever. Consumers, the argument goes, are too risk-averse to make expensive bets on promising technology, while they discount the certainty of energy depletion and the dwindling of power supplies. And, Cheney says, producers' time horizons are too short to invest in energy technologies that offer long-term promise. But economists investigating the issue find little evidence for assertions like Cheney's, and little reason to believe that markets in energy are different from markets in other commodities.

Policy activists are on somewhat firmer ground, however, when they argue that energy prices do not fully reflect the environmental costs associated with energy consumption. But economists are wildly divergent in their estimates of the costs of these energy-consumption externalities. Some studies find that present prices for conventional fuels, such as natural gas, are too high rather than too low—owing to regulatory distortions in the market.

In the case of fuels for which the evidence about environmental externalities is clear, the solution is a tax that increases the price and allows producers and consumers complete freedom to adjust. But that would create visible costs and diffuse benefits, and politicians prefer the opposite: concentrated benefits for companies that collect subsidies and diffuse costs imposed on the taxpayers and the economy.

The strongest critique of a laissez-faire energy regime is that innovators in energy markets cannot capture the full benefits of their innovations. Hence, businessmen may underinvest in energy research and development. Notice that the complaint, however, is that industry will underinvest in R&D across the board—not that investors back the wrong technologies. If this is a serious problem, the solution is to make all R&D more attractive through preferences in the tax code. Targeted energy R&D subsidies and mandates simply substitute political judgments about investments for market judgments, even though politicians have no comparative advantage in sorting technological winners from losers.

Consider the current love affair of the Right with "clean coal" technology. Billions of federal tax dollars have been spent since the 1980s on various iterations of this concept—most recently via George W. Bush's "FutureGen" project and the "Clean Coal Power Initiative"—yet the marketplace has not been friendly to new coal plants. From 2001 through 2007, 179,382 megawatts of natural-gas-fired electric generators were added, but only 3,311 megawatts of coal-fired generation capacity came online.

It's not that we don't know how to make coal facilities cleaner—it's that we don't know how to make coal plants both cleaner and profitable. Throwing more tax money at this riddle will not necessarily produce an answer. Why are conservatives doubling down on the same ill-fated taxpayer adventure that Ronald Reagan labored so mightily to kill in the 1980s?

Nuclear power is another favored recipient of conservative largesse. Despite promises in the 1950s that nuclear power would soon become "too cheap to meter," 50 years of lavish federal subsidies and regulatory preferences have yet to produce an industry that can turn a profit without taxpayer help. That is an observation that even the nuclear-energy industry's trade association freely concedes, at least when it is time for politicians to reconsider the merits of existing subsidies such as the federal guarantee of private loans to the industry, federal protection against liabilities beyond a certain threshold, production tax credits, and the like. Tufts economist Gilbert Metcalf calculates that nuclear-power costs would increase by almost 50 percent if those subsidies were eliminated.

How is the conservative case for the above subsidies any different from the liberal case for subsidizing solar or wind energy, or high-mileage automobiles—or, for that matter, the case for government backing of financial institutions and automobile companies? It isn't, and conservatives should not check their skepticism about central planning and the bureaucratic ordering of markets at the door when they walk into the energy-policy funhouse. There is no BTU exception to *The Wealth of Nations*. **NR**

Mr. Taylor and Mr. Van Doren are senior fellows at the Cato Institute. Mr. Van Doren is also editor of Cato's Regulation *magazine.*

5

Drill

Petroleum is, and will remain, a major part of America's energy picture. Shall we get it here or abroad?

BY SARAH PALIN

GIVEN that we're spending billions of stimulus dollars to rebuild our highways, it makes sense to think about what we'll be driving on them. For years to come, most of what we drive will be powered, at least in part, by diesel fuel or gasoline. To fuel that driving, we need access to oil. The less use we make of our own reserves, the more we will have to import, which leads to a number of harmful consequences. That means we need to drill here and drill now.

We rely on petroleum for much more than just powering our vehicles: It is essential in everything from jet fuel to petrochemicals, plastics to fertilizers, pesticides to pharmaceuticals. According to the Energy Information Administration, our total domestic petroleum consumption last year was 19.5 million barrels per day (bpd). Motor gasoline and diesel fuel accounted for less than 13 million bpd of that. Meanwhile, we produced only 4.95 million bpd of domestic crude. In other words, even if we ran all our vehicles on something else (which won't happen anytime soon), we would still have to depend on imported oil. And we'll continue that dependence until we develop our own oil resources to their fullest extent.

Those who oppose domestic drilling are motivated primarily by environmental considerations, but many of the countries we're forced to import from have few if any environmental-protection laws, and those that do exist often go unenforced. In effect, American environmentalists are preventing responsible development here at home while supporting irresponsible development overseas.

My home state of Alaska shows how it's possible to be both pro-environment and pro-resource-development. Alaskans would never support anything that endangered our pristine air, clean water, and abundant wildlife (which, among other things, provides many of us with our livelihood). The state's government has made safeguarding resources a priority; when I was governor, for instance, we created a petroleum-systems-integrity office to monitor our oil and gas infrastructure for any potential environmental risks.

Alaska also shows how oil drilling is thoroughly compatible with energy conservation and renewable-energy development. Over 20 percent of Alaska's electricity currently comes from renewable sources, and as governor I put forward a long-term plan to increase that figure to 50 percent by 2025. Alaska's comprehensive plan identifies renewable options across the state that can help rural villages transition away from expensive diesel-generated electricity—allowing each community to choose the solution that best fits its needs. That's important in any energy plan: Tempting as they may be to central planners, top-down, one-size-fits-all solutions are recipes for failure.

For the same reason, the federal government shouldn't push a single, universal approach to alternative-powered vehicles. Electric cars might work in Los Angeles, but they don't work in Alaska, where you can drive hundreds of miles without seeing many people, let alone many electrical sockets. And while electric and hybrid cars have their advantages, producing the electricity to power them still requires an energy source. For the sake of the environment, that energy should be generated from the cleanest source available.

Natural gas is one promising clean alternative. It contains fewer pollutants than other fossil fuels, it's easier to collect and process, and it is found throughout our country. In Alaska, we're developing the largest private-sector energy project in history—a 3,000-mile, $40 billion pipeline to transport hundreds of trillions of cubic feet of natural gas to markets across the United States. Onshore and offshore natural gas from Alaska and the Lower 48 can satisfy a large part of our energy needs for decades, bringing us closer to energy independence. Whether we use it to power natural-gas cars or to run natural-gas power plants that charge electric cars—or ideally for both—natural gas can act as a clean "bridge fuel" to a future when more renewable sources are available.

In addition to drilling, we need to build new refineries. America currently has roughly 150 refineries, down from over 300 in the 1970s. Due mainly to environmental regulations, we haven't built a major new refinery since 1976, though our oil consumption has increased significantly since then. That's no way to secure our energy supply. The post-Katrina jump in gas prices proved that we can't leave ourselves at the mercy of a hurricane that knocks a few refineries out of commission.

Building an energy-independent America will mean a real economic stimulus. It will mean American jobs that can never be shipped overseas. Think about how much of our trade deficit is fueled by the oil we import—sometimes as much as half of the total. Through this massive transfer of wealth, we lose hundreds of billions of dollars a year that could be invested in our economy. Instead it goes to foreign countries, including some repressive regimes that use it to fund activities that threaten our security.

Reliance on foreign sources of energy weakens America. When a riot breaks out in an OPEC nation, or a developing country talks about nationalizing its oil industry, or a petro-dictator threatens to cut off exports, the probability is great that the price of oil will shoot up. Even in friendly nations, business and financial decisions made for local reasons can destabilize America's energy market, since the price we pay for foreign oil is subject to rising and falling exchange rates. Decreasing our dependence on foreign sources of energy will reduce the impact of world events on our economy.

In the end, energy independence is not just about the environment or the economy. It's about freedom and confidence. It's about building a more secure and peaceful America, an America in which our energy needs will not be subject to the whims of nature, currency speculators, or madmen in possession of vast oil reserves.

Alternative sources of energy are part of the answer, but only part. There's no getting around the fact that we still need to "drill, baby, drill!" And if those in D.C. say otherwise, we need to tell them: "Yes, we can!" **NR**

Sarah Palin was governor of Alaska from 2006 to 2009, and the Republican candidate for vice president in 2008.

The Long View

BY ROB LONG

TO: thorbjørn.jagland@nobelprizecommittee.no
FROM: inger-marie.ytterhorn@nobelprizecommittee.no
SUBJ: FW: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**
DATE: 14 februar 2009

Dear Thorbjørn:

Yust got dis odd e-mail vrom Amerika. Vat dinkst du?

>>>>>>>>>Begin forwarded message:

TO: inger-marie.ytterhorn@nobelprizecommittee.no
FROM: bobama@illinois.acorn.org
SUBJ: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**

It's only been a couple of weeks since I took office, and I know that deadlines for nominations are coming up, and I'm wondering what the procedure is for nominating myself? My understanding from Jimmy Carter is that you can and should nominate yourself yearly, just to be thorough, but I'm having a hard time getting any sense from the Nobel website. My thinking is, by the time you actually give out the award in the fall, I'll have accomplished a great deal. Iraq will be solved. Iran will be disarmed. Afghanistan will be quiet and on the road to peace. And centuries of racial tension will have vanished from the American landscape. Not bad work for the next few months, right?

So, just, you know, reaching out to you guys. Would love to circle back on this next week. Please use this e-mail address, if you don't mind. Goes right to my BlackBerry without all of the pesky .gov prying eyes, you know?

Peace out!

(as it were)

Barack Obama

P.S.: I am also an African American. I don't think it's relevant, really, but it's important for you to know that this is a great way to show just exactly how unracist you might be, if that's important to you.

TO: inger-marie.ytterhorn@nobelprizecommittee.no
FROM: thorbjørn.jagland@nobelprizecommittee.no
CC: sissel-marie.rønbeck@nobelprizecommittee.no; ågot.valle@nobelprizecommittee.no;
kaci-kullman.five@nobelprizecommittee.no
SUBJ: SUBJ: FW: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**
DATE: 14 februar 2009

Vell, dis is noot an easy-peasy kine off decision. Onde won hant, high iss de newe presidenk op de Yuhnyted Statesen. Alsø, high is vury vury blekke. Vell, not vury vury blekke, but from de Norweege perspekteeve, a lewtle blekke is a løtte blekke.

Onde udder hant, high hass bane de presidenk voor, vhat? Noot even wone mond? Vat hass de manne døne? Nofink, ip du åske may.

Vee neede tew my-bay haf a Skype call aboot dis. Iss vury vury delicat.

Thorbjørn

TO: thorbjørn.jagland@nobelprizecommittee.no
FROM: ågot.valle@nobelprizecommittee.no
CC: sissel-marie.rønbeck@nobelprizecommittee.no; kaci-kullman.five@nobelprizecommittee.no;
inger-marie.ytterhorn@nobelprizecommittee.no
SUBJ: SUBJ: SUBJ: FW: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**
DATE: 15 februar 2009

Whoa! Diss gye hass de sømme big egø, huh? Like vhat? Yust baycowse high iss nut de oder wone, de Bushe presidenk, ålles off us are supposed to bay alle, <<Hoopla! Hoopla! Hoopla! De Veerste Blekke Presidenk! Und nay maare op de hørriblen Bushe presidenkcy?>> Vat een åsse.

Åy doont knew aboot de reste op dez committeen, butte voor may, Ip sayz, high canne kisse may Norweege fjord sild.

Ågot

TO: : ågot.valle@ nobelprizecommittee.no
FROM: sissel-marie.rønbeck@nobelprizecommittee.no
CC: thorbjørn.jagland@nobelprizecommittee.no; kaci-kullman.five@nobelprizecommittee.no;
inger-marie.ytterhorn@nobelprizecommittee.no
SUBJ: SUBJ: SUBJ: SUBJ: FW: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**
DATE: 16 februar 2009

Ågot:

Yuwe haff gotte to bay vury vury karfull aboot vat yuwe putten in de e-mailen. Vay are de Nobel Preeze committeen, notte de dittohoofden vam de Roosh Limbow.

Lukke, vay are baytwain a rokke unde heerd platz. Onde won hant, high haznt done skwøt. Boot onde udder hant, aff vay donten gib hem day bigge preeze, vell, new bodie vants tø be called a råsiste, yuwe knowwe?

Alzo, luke onne de bryte sayde: Der vill bay a butte-lood of der bestse presse vrom dees. Dar presse ålle ober der worldt isse in krazy løve wit der neewe presidenk. My bay vay shøuldde jest bate de bullet und gave hem der preeze? Høwe badde couldde het bay? Wørssen den Kissinger? Op Arafat? Op Mohamed ElBaradei? Unde aim notte gonne tow mentiønne Jimmy Carter! Oh, Gotte! Vay vair zoo drunkke on dat dayye.

TO: ågot.valle@nobelprizecommittee.no;
sissel-marie.rønbeck@nobelprizecommittee.no; kaci-kullman.five@nobelprizecommittee.no;
inger-marie.ytterhorn@nobelprizecommittee.no
FROM: thorbjørn.jagland@nobelprizecommittee.no
SUBJ: SUBJ: SUBJ: SUBJ: SUBJ: FW: **Hey! Inger Marie! Thought I'd put a little bug in your ear . . .**
DATE: 17 februar 2009

Ålles:

De tymme haz komme voor a vøtte. Let's rølle.

Thorbjørn

Books, Arts & Manners

A Smiling Gloominary

KYLE SMITH

WE ARE
DOOMED
RECLAIMING CONSERVATIVE PESSIMISM
JOHN DERBYSHIRE

We Are Doomed: Reclaiming Conservative Pessimism, by John Derbyshire
(Crown Forum, 272 pp., $26)

As a temperamental opponent of John Derbyshire—I suffer from the disease of default optimism, making me one of those he calls "poseurs wearing smiley-face masks"—I hope I quickly forget his delightful (in a delight-expunging way), wide-ranging (though grimly focused), grati- yet terrifying new book. *We Are Doomed* is a blast of stale air, a key that opens up the dungeon of limitation, a burst of cloud rushing in to protect us from the daylight.

"The proper outlook of conservatives," says Derbyshire, "is a pessimistic one." Those who are familiar with his work in NATIONAL REVIEW will be unsurprised to learn that he considers it his mission to make conservatives cast off what he sees as the foolishly emollient schemes of George W. Bush and get their Samuel Beckett on.

Let it not be said that Derbyshire is cramped of vision: "Despair should be large and general, not petty and particular," he declares. And he's off, diagnosing ills demographic, economic, educational, cultural, political, and even intellectual. (One simple measure that might improve our lot, he notes in passing, would be a more pessimistic outlook on everything, but we hapless dopes can't handle even *that*.) He makes the case that ethnic diversity increases unrest, that the expansion of the government blob is unstoppable, that the arts have reached their day of exhaustion, that bold ideals about the desirability of bankrolling subprime mortgages or forcing democracy on subprime countries have had results dismal and dismaler.

Is Derbyshire kidding? Not really, but sort of. I (recall my chief defect, already stated) read the book in two ways at once—Jonathan Edwards meets Jonathan Swift. It is to be taken literally, I am certain, but on the other hand Derbyshire deploys such demonically gleaming wit and cheerful cantankerousness as to suggest that he'd be a more engaging dinner guest than, say, Al Gore. ("Pass the wine, Al." "Really?" Agonized sigh. "You're going to drink this wine?" Sad shake of the head. "You are aware that pure alcohol made from simple locally grown corn has a vastly lower carbon footprint than Italian wine?" Immense sigh.) In a passage that is typically dry yet difficult to take entirely in earnest, Derbyshire cautions that any readers who, having entered here, actually do abandon all hope as instructed should feel free to drop him a line if they find the book bending their thoughts toward suicide. That is sporting of him, although one wonders how many potential suicides possess the patience to write out a letter and post it, much less await the reply. The least he could do is supply his Twitter handle.

Since Derbyshire has liberated himself from the burden of issuing prescriptions—disaster being unavoidable—he is free to lampoon the crooks, charlatans, and chuckleheads he sees everywhere in public life. He has a response worthy of Twain or Mencken to a paper, by Harvard political scientist Robert Putnam, called, "E Pluribus Unum: Diversity and Community in the Twenty-First Century." The paper's three section headings are titled:

> The Prospects and Benefits of
>   Immigration and Ethnic Diversity
>   (three pages)
> Immigration and Diversity Foster
>   Social Isolation (nineteen pages)
> Becoming Comfortable with Diversity
>   (seven pages)

Derbyshire says this is a bit like publishing a paper in a health journal with the following section titles:

> Health benefits of drinking green tea
> Green tea causes intestinal cancer
> Making the switch to green tea

Zing. "Economics may be dismal, but it's not a science." Bam. Of a free-verse poem from 1967 that moves with all the rhythm of a 1978 Ford Granada with a broken axle, he asks, "If this is poetry, what's not poetry?" Considering the Knowledge Is Power Program, or "KIPP," which attempts to bring quality education to the worst neighborhoods, Derbyshire wonders how broadly applicable its tactics are: "I am sure there are some people who enter the teaching profession with the desire to crunch their way daily across the crack-vial-littered streets of crime-wrecked inner-city neighborhoods to put in fifteen-hour working days, but I doubt there are many." Speaking of education, what better summary of the American obsession with furled sheepskin than this one? "American parents are now all resigned to beggaring themselves in order to purchase college diplomas for their offspring, so that said offspring can get low-paying outsourceable office jobs, instead of having to descend to high-paying, unoutsourceable work like plumbing, carpentry, or electrical installation."

Derbyshire has many unsettling thoughts on the immigration challenges facing the West (he'd hate that phrase; something closer to "the obliteration of the West by unchecked hordes of socialist barbarians" might be more to his liking) and states them so boldly that any liberal who bothers with this book will probably denounce it as, at best, racially insensitive. Derbyshire doesn't care. He believes his facts are solid and that opponents will be reduced to ad hominem lines of attack.

Borrowing (mischievously) his terminology from the racist CCNY professor Leonard Jeffries, Derbyshire notes that "Ice People" (Asians and whites) are almost completely segregated from "Sun People" (blacks and non-white Hispanics) in public schools, that property values are directly linked to the proximity of "good schools," and that "good school" is simply code, fully accepted by the Obama-bedazzled white

Mr. Smith is a film critic for the New York Post.

bourgeoisie, for a school with not too many black and Hispanic students. He can't resist adding that "Sun People kids are, in the broad generality, unacademic and unruly" before wading into the research on the frustratingly persistent "achievement gap."

Derbyshire knows that even many fellow conservatives will be clearing their throats and checking their watches at such points, and he delights in that discomfort. "Mainstream conservatives approach this whole issue, if you force them to (which isn't easy), with the whimpering terror they bring to all matters racial: 'Oh please, mister, please don't call me racist! Beat me with this steel rod if you like, but for pity's sake, don't call me racist!'" Just to make it clear that he isn't one of those mushy mainstreamers, he tosses around comments such as this one, on Elizabeth Alexander, President Obama's choice to deliver an inaugural poem: "I guessed her to be a whiny left-wing black feminist, as most female poets nowadays are." Derbyshire even chastises his NR colleague Mark Steyn for arguing, in *America Alone*, that the U.S., unlike Europe, has enough breeding mojo to sustain Western civilization. Not really, says Derbyshire: America's overall fertility rate is 2.05 children per woman, but that drops to 1.86 for non-Hispanic whites—a near-Scandinavian figure.

Cosmic Eeyore that he is, Derbyshire even dresses Ronald Reagan in a suit of sackcloth and a pomade of ashes.

Whether pessimism is more central to the liberal or conservative temperament is an interesting question. A new book by Barbara Ehrenreich is titled *Bright-Sided: How the Relentless Promotion of Positive Thinking Has Undermined America*, and as we near the end of the first year of the Obama presidency, Paul Krugman and his acolytes retain their Weather Channel stance that disaster is always either happening somewhere or about to happen. Nor has any liberal, after passage of this or that government program, declared himself satisfied, his work done. A follow-up crisis always awaits. Derbyshire is at least optimistic enough not to delve into global-warming catastrophism, a reflex so embedded in the culture that it now routinely serves as the basis of allegory even in kiddie movies.

But cosmic Eeyore that he is—this bit really makes you wonder whether Derbyshire stalks playgrounds bellowing that there is no Santa—he even dresses Ronald Reagan in a suit of sackcloth and a pomade of ashes. It was pessimism about the Soviet Union's intentions, Derbyshire argues, that drove Reagan's foreign policy. As for the Gipper's overall record, Reagan blithely told his barber that he had accomplished only "four out of five" goals (lowering taxes, liberating the economy from a burdensome government, increasing defense spending, and checking Soviet power) but admitted to rank failure at actually restraining spending and balancing the budget. Derbyshire calls this a "melancholy truth": Even our greatest modern president was unable to alter his countrymen's basic delusion that "humanity can be improved by the spending of public money." Reagan's defeat on this front was not insignificant. In my view, it's as if Theseus emerged from the Labyrinth saying, "I didn't actually kill the Minotaur, but I think we had a good, constructive discussion, and he's agreed to accept a mere 7 percent increase in the number of Athenians he consumes."

"Human kind," said T. S. Eliot, "cannot bear very much reality," but "my experience," Derbyshire says in continuing the thought, "has been that conservatives can bear more than most. Wishful thinking about human nature and human potential is for leftists." Can it be too wishful to hope that most of the electorate might abandon wish-fulfillment schemes? Probably. But even Derbyshire says (this is the most hopeful sentence in the book; take it or leave it), "If I stare hard enough at the corpse of American conservatism, I sometimes fancy I see a slight twitch or a passing flush of color." As an optimist, I read that statement to mean that there's a lot of potential for conservatism as a neo-zombie movement given to munching on the corpulent, juicy flesh of excess government. If not, though, let us keep up our work anyway, if only to honor the dead. **NR**

Intellectual Feast

TERRY EASTLAND

A Time to Speak: Selected Writings and Arguments, by Robert H. Bork
(ISI, 750 pp., $30)

THE title of this big book is taken from the passage in Ecclesiastes that says "to every thing there is a season, and a time to every purpose under heaven," including "a time to speak." Robert Bork, now 82, has been "speaking" at various times over the past half century. *A Time to Speak* is a collection of the best of what he has said. And it is an unusual collection. Among the "selected writings and arguments" are articles, both academic and popular, but there are also briefs filed in courts, transcripts of oral arguments before the Supreme Court, judicial opinions, and letters to the editor. Bork sees his books—on antitrust law, constitutional interpretation, cultural degradation, and international law—as primary, and this "body of shorter works" (it contains 62 of them) as augmenting and extending them. *A Time to Speak* does accomplish that end, but it will also serve as an introduction to a rising generation unfamiliar with his work.

Bork happens to be one of the great lawyers of the past half century. He was a law professor at Yale before serving as solicitor general in the Nixon administration. In 1981, President Reagan appointed him to the appeals court in Washington. In 1987, Reagan nominated him to the Supreme Court. And while the Senate's rejection of his nomination may be all that many Americans know about him, Bork's influence on the law and in the ongoing debates about its interpretation is enormous.

The subject Bork specialized in when he began teaching at Yale, in 1962, was antitrust, which he found in "crisis." As he explained in a 1963 article in *Fortune* included in this volume, it was a crisis caused by the rapid acceleration of protectionist trends such that anti-free-market

Mr. Eastland is publisher of The Weekly Standard. *His books include* Religious Liberty in the Supreme Court *(1993).*

forces had gained the upper hand and were threatening "to destroy the antitrust laws as guarantors of a competitive economy."

Applying law-and-economics principles, Bork contended that the basic purpose of antitrust is to promote consumer welfare. He pressed the particulars of his argument in a series of law-review articles in the 1960s and 1970s (two of which are republished here). *The Antitrust Paradox*, published in 1978, was Bork's comprehensive statement of the matter. His steadfast focus on consumer welfare changed minds, including on the Supreme Court, and lent support to the movement for deregulation that reshaped policy in the 1970s and 1980s.

Bork acquired another interest in his first years at Yale, namely constitutional law, on which he published his first major article in 1971 in the *Indiana Law Journal*. Constitutional law, he argued in "Neutral Principles and Some First Amendment Problems" (included here), was notable for its lack of theory. As a result, "courts are without effective criteria and, therefore, we have come to expect that the nature of the Constitution will change, often quite dramatically, as the personnel of the Supreme Court changes."

Unwilling to assume the legitimacy of judicial review, Bork derived his conclusion about when it can be legitimate from the very foundations of our constitutional system. He advanced a theory about constitutional law that sought to demonstrate that there can be no rule of law in constitutional adjudication unless the original understanding of the Constitution—its public meaning at the time of its enactment—is the judge's guide. Absent such a rule of law, judges have nothing to apply and a self-governing people may legislate (or not).

Bork believes that "Neutral Principles" is "the first modern exposition" of originalism, and he is probably right about that. It was a remarkable achievement. As John Harrison, a student of Bork's at Yale and now a law professor at the University of Virginia, has put it: "A scholar primarily of antitrust law, without the benefit of the relatively more sophisticated conceptual tools that are available to us, many years later, in thinking about the Constitution, Bork came to the field and, largely on his own, reasoned in the right way when so many were reasoning in the wrong way. While others were taking judicial review for granted, Bork started with more fundamental considerations and came to conclusions that remain powerful and persuasive today."

By the early 1970s, Bork had become a conservative, and was one of the few conservatives teaching in a law school as prestigious as Yale. He was an ideal choice for solicitor general, his views on constitutional interpretation congruent with those (at least as announced) of President Nixon. And as briefs and oral arguments included here illustrate, Bork, the government's chief appellate lawyer, did not shrink from his convictions about originalism.

For example, in *Gregg* v. *Georgia* (1976), in which Bork helped persuade the Court to reinstate the death penalty, he told the justices that those who framed the Eighth Amendment's prohibition of cruel and unusual punishments did not intend "as an original matter" to outlaw capital punishment because "they prescribed the procedures that must be used in inflicting it" elsewhere in the Constitution. Thus, the Court should not "substitute its judgment about the propriety of the death penalty for that of the legislatures both more properly charged with the duty of making that judgment and more advantageously situated to collect and assess the relevant information."

By the early 1980s, Bork had become the leading advocate of originalism. When he was nominated for the Supreme Court, the debate over constitutional interpretation intensified, with Bork vigorously contending for his views before the Senate Judiciary Committee. "The defeat of his nomination," another of his former students, law professor Steven G. Calabresi, has written, "turned Bork into a martyr for the cause of originalism." In 1990, Bork wrote *The Tempting of America: The Political Seduction of the Law*, a compelling elaboration and defense of originalism that notwithstanding its arcane subject matter became an instant bestseller.

Not surprisingly, *A Time to Speak* devotes more space to articles on constitutional law than to ones on any other subject. These articles defy quick summary. Bork doesn't just take on courts that have strayed from the original understanding (see, e.g., *Roe* v. *Wade*) and challenge "non-interpretivists"—liberal professors like Ronald Dworkin and Paul Brest, who "assign to judges not the task of defining

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Expiration Date________________

values found in the Constitution but the task of creating new values and hence new rights for individuals against the majority." Bork also takes issue with conservatives who hold interpretive views he judges to be at odds with the original understanding and likely to lead to judicial activism of the Right.

Thus, Bork rejects the notion that judges should presume the unconstitutionality of all economic regulations. The "historical Constitution," he writes, does not provide for the "more general spirit of libertarianism" that a judge would need for its enforcement. Likewise, Bork takes issue with the idea that the Constitution is pro-life and thus prohibits abortion; he does so on the grounds that the Constitution in its original meaning does not take sides on the issue and leaves it to be decided by a self-governing people. As well, Bork rejects efforts by some conservatives to read the Constitution in terms of "natural law," finding it "no more reputable than the labors of liberals to read the Constitution in terms of 'moral philosophy.'"

As for the articles in this volume on foreign law, they invariably say sensible things. And one of them stands out: a 2003 piece from this magazine in which Bork sits in judgment of justices infatuated with international law. Of Sandra Day O'Connor's contention that "the differences between our nations are fewer and less important than our similarities," Bork says that it is "a serious mistake," pointing out the obvious—that "we have few ideas about law and human rights in common with radical Islam, Russia, China, most of Africa, Cuba, and much of South America." Bork also mentions as an example of this "absurd turn in our jurisprudence" Justice Anthony Kennedy's citation of a decision by the European Court of Human Rights in his opinion in *Lawrence* v. *Texas* (2003) creating a constitutional right to homosexual sodomy. (The references to O'Connor and Kennedy occasion thoughts of what might have been, had either of their seats been taken by Bork instead.)

Among the articles on politics and public policy collected here, several concern the independent-counsel statute. Enacted in 1978, this law hobbled our politics until Congress finally declined to reauthorize it in 1999. Bork writes soundly about every aspect of the law, including its unconstitutionality and its weakening of the presidency.

In *Slouching Towards Gomorrah* (1996), Bork took up a topic addressed nowadays only by a brave few—public morality. There he detailed multiple manifestations of cultural decline. *A Time to Speak* includes articles covering some of the same ground. In a 1995 piece from *First Things*, Bork attributes the unraveling of the culture to the rise of modern liberalism and in particular its pursuit of radical egalitarianism (equality of outcomes) and radical individualism ("a refusal to admit limits to the gratifications of the self"), the two forces working together to undermine traditional mores and authorities. Statism ("government [that] is likely only to get bigger and more intrusive") and moral anarchy are what we have now and will continue to have, he writes, unless a great cultural reversal occurs. Bork thinks that could happen if we have a revival of Biblical religion. Though he is not optimistic about such an eventuality, Bork here assumes the utility of Christianity in generating a virtuous people. What he does not explore, but surely understands, is that people turn to Christianity not because it may produce a healthier culture but because it offers a cure for sin.

A Time to Speak closes with pieces of a personal nature, including appreciations of Bork's friend Alexander Bickel, who taught with Bork at Yale and died at 49, in 1974; and of his law teacher at the University of Chicago, Edward Levi, who was attorney general when Bork was solicitor general. Bork writes perceptively about the character of the men and their achievements in the law. And, like all of Bork's articles, the appreciations are very well written.

Bork's prose deserves special notice, for it is unfailingly clear and direct—and lively. Bork also has a talent for the memorable aphorism. Consider: "The truth is that the judge who looks outside the Constitution always looks inside himself and nowhere else." And: "As government regulations grow slowly, we become used to the harness."

The title of this book does not do justice to its contents. Bork has had many times to speak, but so have others. It's what he's had to say that matters. And during his long career, there has been no greater advocate of constitutional liberty and constitutional self-government than Robert Bork. **NR**

'THE LAST RIGHT-WING INTELLECTUAL . . . '

Orwell called T. E. Lawrence; not a bad epithet
Coming from him, although a far cry
From *lionhearted* or *grey-eyed Athena*.

Still, a plausible phrase for one smart man
Trying to get a handle on another. Labels
Give leverage, a life's work in a long book

Becomes moveable, a portable impression
Lifted out of print into the mind's library
Of never-forgotten phrases. *Biodata*

A Stanford prof calls her CV, listing
Papers read and books published, even
A few poems. From *Abelard* to *Zombie*

Is the range of Stanford's *Encyclopedia*
Of Philosophy. Alpha to Omega?
Orwell was an underground optimist,

He stopped at the last name he thought of
When the 1920s came to mind, the writer
Who searched for himself in the desert.

—LAWRENCE DUGAN

A Proper Revolution?

ANDREW STUTTAFORD

1688: The First Modern Revolution,
by Steve Pincus (Yale, 647 pp., $40)

Infuriated by the high-church, high-Tory critiques of a British historian impertinent enough to suggest that the tercentenary of England's Glorious Revolution of 1688 was not worth celebrating, Mrs. Thatcher's then Lord Chancellor jibed that "academic historians never make their money by saying that the established truth is true." I'm not sure what the late Baron Hailsham of St. Marylebone would have made of a new account of that same revolution by Yale professor Steve Pincus. Meticulously researched and deftly written, Pincus's book demolishes established truths (actually untruths) about the Glorious Revolution only to cram 1688 into a corset ("the first modern revolution") that might be meant to be sexy, but ultimately doesn't fit. That said, this is so evidently serious a book that old Hailsham might have been not only forgiving but even, maybe, something of a fan.

The 1688 revolution was traditionally believed to derive much of its gloriousness from its absence of significant bloodshed, except in Ireland (which, revealingly, was not thought to count), a blessing usually put down to the fact that its central drama—the overthrow of James II, England's last Roman Catholic king—was an essentially conservative affair. According to this version of events, the replacement of James with the dual monarchy of the Dutch prince William and his wife (and James's daughter) Mary was an easy sell, a restoration as much as a revolution, intended by a good number of its supporters to return hallowed (if sometimes fictional) English liberties to their central place in a constitution threatened by the newfangled ways of a monarch in thrall to a foreign religion and, no less sinisterly, to the absolutist ideology of "Lewis XIV" (to use the contemporary, splendid, and unapologetically English spelling), the foreign tyrant who was the wretched James's ally, mentor, and paymaster. Yes, the Glorious Revolution may have paved the way to more radical changes in the way England was run, but so far as possible (even during the tricky 1688–89 hiatus) it did so in a way that was in accord with existing law—and who could object to that?

The distinction between this happy tale and the chaos and slaughter of subsequent revolutions abroad is obvious and, for those remaining Britons who know their history, a source of pride, clinching proof of a sensible people's innate talent for moderation. When, in a classic exposition of both this view and her indomitable tactlessness, Mrs. Thatcher took advantage of the bicentenary of the French revolution to remind *Le Monde* that the Glorious Revolution was an example of the way that English liberties had evolved in a process marked by "continuity, respect for law, and a sense of balance," the Iron Lady was making the point that the French Revolution was everything that 1688 was not—and that it was all the worse for it.

Ironically, the survival of this "Whig interpretation" of (to borrow Mrs. Thatcher's description) 1688's "quiet revolution" has been helped by the persistent disappointment of leftist British historians that, despite a possible near miss in the 1640s, their country has never enjoyed the imagined benefits of a "proper" revolution. Lord Macaulay and Edmund Burke, the two most influential exponents of the Whig analysis, may have shaped their narratives in a manner designed to persuade their countrymen that the revolutionary upheavals then raging on the Continent (Macaulay's *The History of England from the Accession of James the Second* was published in 1848, while Burke was writing when the guillotine was at its busiest) were not the British way, but it was an approach that played into the hands of later, lesser writers only too keen to dismiss James's dethroning as just another aristocratic putsch. The 1688 revolution was, sniffed Engels in 1892, a "comparatively puny event."

That's not Professor Pincus's view. He maintains that the 1688 upheaval was not only enormously significant (which it was), but that it should be considered—dubious compliment—the first "modern revolution." Sadly, he never quite succeeds in satisfactorily establishing what that term means, coming closest when he writes about "a structural and ideological break with the previous regime . . . and a new conception of time, a notion that they [revolutionary regimes] are beginning a new epoch in the history of the state and . . . society," an idea of Year Zero that is, awkwardly, difficult to square with the painstaking quest for precedent that was such a feature of 1688.

These definitional problems should come as no surprise. Stripped of its already imprecise chronological sense, "modern" is in this context too vague and too broad an adjective to mean very much: Even the most archetypically "modern" revolution—the Russian, with its strong strains of murderous millennial fantasy and traditional peasant Jacquerie—came with distinctly medieval aspects.

If there's one thing we do know about modern revolutions, it's their tendency to extreme violence. Unfortunately, Pincus's determination to demonstrate the modernity of 1688 occasionally appears to have led him to paint a portrait of its convulsions in colors somewhat closer to the blood-drenched hues of revolutionary France than to the discreet, largely deco-

Mr. Stuttaford is a contributing editor of National Review Online.

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rous tones that this most proper of revolutions really deserves. Even if we include (as we should) the Irish campaign and the fighting in Scotland, the Glorious Revolution can be blamed for perhaps some 20,000 deaths, almost none of them in England. By contrast, the revolution that tore England apart in the 1640s cost 190,000 lives in England alone (as a percentage of the population, a total higher than that accounted for by World War I—and in Scotland and Ireland the relative toll was even worse). It was a catastrophe so terrible, and in its social implications so potentially dangerous, that it goes a long way toward explaining the restraint displayed by the revolutionaries of 1688. That earlier conflict had come close to being a "modern revolution"—and there was little appetite to repeat the experience.

1688
THE FIRST MODERN REVOLUTION
STEVE PINCUS

Pincus makes much of the rancorous controversies, sharp ideological divisions, and (in an attempt to debunk the argument that the revolution was little more than the maneuverings of shifting aristocratic cabals) popular enthusiasms that characterized England's politics in the aftermath of the revolution and on deep into the 1690s. He demonstrates that these struggles had revolutionary consequences. Nevertheless, those who fought in them generally did so within well-established legal and political structures. 1688 was indeed a proper revolution, but in both senses of the word.

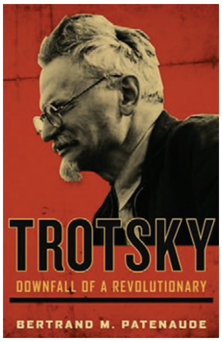
Another element in Pincus's definition of a modern revolution is that it typically represents a clash not between the old order and the new, but between two conflicting visions of modernity. That's a contention that could be disputed when it comes to some of history's later revolutions, but it works well for 1688, in particular as an explanation of why so many conservatives were prepared to throw in their lot with the revolutionaries. As Pincus shows, by 1688 James had taken England a long way down the road to Versailles. The machinery of a Continental-style centralized absolutist state was being put in place. To add insult to injury, this was linked to an aggressive recatholicizing effort (albeit often camouflaged by bogus calls for wider religious toleration) that left little doubt that James's ultimate ambition was to impose upon England a "national" Catholicism equivalent to the Gallicanism then being preached from French pulpits. Under the circumstances, many traditionalists, however deep their philosophical (and, not infrequently, religious) scruples about turning against their lawful king, felt that their vision of England left them with no choice other than revolt or (almost as devastating to James) sullen neutrality.

But with James consigned to history by his 1690 defeat (at the Battle of the Boyne, in the Roman Catholic Ireland that was his last redoubt), what next for England? Many studies of the 1688 revolution conclude with the former king's final flight to France and a quick canter through the Bill of Rights (sound familiar?) and the other legislation most associated with the post-revolutionary settlement. If the biggest weakness of Pincus's book (other than sporadically subjecting 1688 to the Eisenstein treatment) is an at times elliptical approach to narrative, its biggest strength is the way that the author takes the story far deeper into the 1690s than is customarily the case. We could argue about whether, as Pincus claims, the changes seen in those years constituted a continuing revolution, but that they were revolutionary is indisputable.

While these changes bear strong hallmarks of the improvisation and desire for compromise that are a characteristic of English political history, Pincus makes a forceful case that they were more cohesive than is usually understood. They were certainly comprehensive. By 1697, England had reset its foreign policy. Equally, attitudes to political and religious freedom had been altered in ways almost unimaginable a decade or so before, and the financial system had been restructured in a manner that was a death knell to the ancient aristocratic ideal of land as the source of wealth. The bourgeois trading and manufacturing Britain that was to dominate the planet was very clearly taking shape. Perhaps the greatest pleasure to be found in reading this book, however, comes from the prominence that Pincus gives to the debates that accompanied this transformation: often overlooked and almost always fascinating discussions that, in their sophistication, breadth, depth, and cleverness, foreshadow the brilliance of the thinking that was to emerge in America during the course of the third, and most glorious, English revolution of all—the one that caught fire in 1776. **NR**

Revising the Revolution

PAUL JOHNSON



Trotsky: Downfall of a Revolutionary,
by Bertrand M. Patenaude
(HarperCollins, 384 pp., $27.99)

WHAT are we to make of Trotsky? Nowadays, young people do not know much about him, and it is not easy to explain to them exactly who he was and why he was important. Hoover Institution scholar Bertrand Patenaude's new book will help. It is based on a great deal of research and contains much new material. But it is a pity he adopted the sensational device of flashbacks to recount Trotsky's career. A straightforward narrative biography would have been more useful.

Leon Trotsky was born Lev Davidovich Bronstein in 1879, in Ukraine. His father was an assimilated Jew who sought to be a farmer on the steppes, but his mother came from the educated middle class. His hometown was Odessa, the most brilliantly cosmopolitan center in Tsarist Russia. He became a Marxist at 19, and in 1898 he was arrested; he spent over four years in prison and Siberian exile, finally escaping to London on a forged passport bearing the name Trotsky, which he adopted. He got back to Russia in 1905, joined the Petersburg Soviet, was jailed again and sent to Siberia, and escaped once more. His political views were Social Democrat and Menshevik rather than Bolshevik, but it is hard to pin him down as an ideologue. His chief

Mr. Johnson is a prominent author and historian. His latest book is the forthcoming Churchill.

contribution to the political debate was his idea of the permanent revolution. On most issues he changed his mind, often more than once, and his published writings, though voluminous, do not make it easy to construct a Trotskyist ideology.

After being in Vienna, the Balkans, Paris, and Switzerland, he was in New York when the Russian Revolution broke out early in 1917. He got back to Petrograd in May, and became leader of the left-wing Mensheviks. Arrested again, and in jail, he finally decided to join the Bolsheviks, and was immediately put on the Central Committee. Out of jail in September, he took over the military leadership in Petrograd, and had made it a Bolshevik stronghold by the time Lenin emerged from underground on November 7. Trotsky led the troops in defeating Kerensky at the battle of Pulkovo on November 13, and when Lenin formed his government he put Trotsky in charge of foreign affairs. The Peace of Brest-Litovsk with Germany was to a great extent his doing, though he changed his mind twice during the negotiations. After it was signed, Lenin made him war commissar, and it was Trotsky who organized and commanded the victorious Bolshevik forces in the desperate civil war that followed.

Trotsky thus created the Red Army, which he formed as a small, expert, professional force. Its decisive defeat of the White Army in and around Petrograd was an important moment in history, his "finest hour." Trotsky was unusual for a revolutionary thinker, being a man of action and a brilliant mass orator as well as a clever propaganda writer. The most remarkable quality he possessed was superabundant energy. When he was awarded the Order of the Red Banner, this aspect of his character was singled out in the citation, which called him "indefatigable and indestructible." It continued: "In the days when Red Petrograd came under direct threat, Comrade Trotsky, in setting off for the Petrograd front, took the closest part in the organization of the brilliantly executed defence of Petrograd, inspiring with his personal bravery the Red Army units under fire at the front."

What Trotsky was not good at was political maneuvering in secret, or building up a reliable personal following among party bureaucrats—at these things, Stalin was the master. In December 1922, the ailing Lenin drew up his political "Testament," in which he warned about Stalin's faults and sinister ambitions. Trotsky he categorized as a man of "exceptional abilities," though also of "too far-reaching self-confidence." It is clear that he would have tried to use Trotsky to destroy Stalin, had he lived. As things turned out, from Lenin's death onwards, Trotsky, by failing to concentrate persistently on the intraparty battle, and by an unfortunate illness at a critical time, lost heavily to Stalin and his backers. In 1927 he was pushed out of all his posts, and the following year from the party itself. In 1929 he was exiled from the Soviet Union.

First in Turkey, then in Mexico, Trotsky led a precarious existence. He had a number of followers, who provided him with a degree of armed protection. But, like most long-term exiles, he tended to be quarrelsome. In Mexico he was befriended by the leading mural painter, Diego Rivera, a person of great influence and some power. But Trotsky was sexually very active, as one would expect from a man of his temperament, and had an affair with Rivera's striking wife, Frida Kahlo. He quarrelled with Rivera, as a result of confused ideological differences and misunderstandings, and broke with him. In due course, both Rivera and Kahlo became enthusiastic Stalinists.

Patenaude describes all this, and Trotsky's life in exile, in great detail. It is not clear when Stalin first decided to have him murdered, or why he did not do so before 1929, when Trotsky was still in his power and could so easily have been executed. In the notorious treason trials of former Bolsheviks held in Moscow in 1936–38, Trotsky was presented as the chief conspirator, on evidence later shown to be entirely fictitious. The first assassination attempt, with a machine gun, failed. The second, in August 1940, by a Spanish Communist called Ramón Mercader (he had many other names), using an ice axe, succeeded.

Though the Soviet government, then in virtual alliance with Nazi Germany, disclaimed any responsibility, there is no doubt that Mercader, who had managed to infiltrate Trotsky's household, acted as an agent of Stalin's secret police. He was a complex and mysterious figure, about whom Patenaude has a good deal to say. Mexico having abolished the death penalty, he was sentenced to the maximum 20-year jail sentence. His true identity was not discovered until 1950, ten years after his crime, and he never admitted his ties to Soviet intelligence and the Soviet secret police. His story was that he was a disgruntled Belgian follower of Trotsky, named Mornard. However, when he was released in May 1960, he went to Cuba, then Czechoslovakia, and finally Russia. On June 8, 1961, Leonid Brezhnev, in a secret Kremlin ceremony, awarded him the title of Hero of the Soviet Union. The citation claimed that he had shown "heroism and courage" in carrying out "a special task." For good measure he was given the Order of Lenin and the Gold Star.

Trotsky aroused strong emotions in Russia long after his death, especially among the Soviet hierarchy. I witnessed an instance of this when Khrushchev and Bulganin paid their celebrated visit to Britain in the 1950s. They held a vast press conference, dominated by Khrushchev, in the Central Hall at Westminster. Reporters were told to put their questions in writing, to be sorted out by the Soviet ambassador. But Isaac Deutscher, a prominent Trotskyite and author of a controversial life of Stalin, was not having this. He jumped up and addressed Khrushchev in Russian. What exactly he said I never discovered (it certainly involved Trotsky), but it made Mr. K. furious. He replied in a torrent of Russian invective, and, while he did so, shook his fist deliberately and menacingly in Deutscher's direction. It is the only time I have ever actually seen a man, not least a world ruler, shake his fist. Quite a chilling moment. It all reminded me of a saying of the wretched Alger Hiss: Stalin always "played for keeps." Trotsky discovered that to his cost. **NR**

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Film

Out of the Whirlwind

ROSS DOUTHAT

THE films of Joel and Ethan Coen represent one of the most challenging bodies of work in contemporary American cinema—so challenging, in fact, that I'm constantly surprised by how many reviewers are confident that they've figured out exactly what the Coens are up to. This goes for critics who hate the brothers' oeuvre as well as those who love it: Members of both camps often find common ground in the conviction that the Coens are essentially nihilistic jokers, squeezing entertainment value out of a universe that's godless, meaningless, and fated to extinction.

Michael Stuhlbarg as Larry Gopnik

FOCUS FEATURES

Consider the critical reaction to their latest provocation, an updated version of the Book of Job set in a Minnesota suburb circa 1967, in which a well-meaning Jewish academic named Larry Gopnik (played by Michael Stuhlbarg, a stage actor in his first big movie role) is subjected to an escalating series of catastrophes by God, the Universe, or random chance. In reviews both pro and con, similar passages recur. From the *New York Times*: "[The Coens'] insistence on the fundamental absence of a controlling order in the universe is matched among American filmmakers only by Woody Allen." From *The New Republic*: "The universe they are now navigating is one of godlessness and capricious misfortune." From *The Onion*'s A/V Club: "*A Serious Man* is a wholly Coen brothers movie . . . anchored to a way of looking at the world that seems to posit a fundamental absence of meaning."

Now, you can make up your own mind on this front: *A Serious Man* is one of the year's best movies, so hie thee to a multiplex and puzzle over it yourself. But I would submit that characterizing the Coens' latest fictional universe as "meaningless" is a category error of significant proportions.

Like the Book of Job itself, this is a film about God and the mystery of suffering, with an emphasis on mystery. The Coens are certainly open to the possibility that the universe is all a cruel joke—but from the movie's opening epigraph to its (literally) whirlwind finale, *A Serious Man* is equally open to the possibility that while we can't know everything, there is, in fact, something (or Someone) out there to be known.

The epigraph is a quote from Rashi, the medieval Jewish sage and commentator, glossing the Deuteronomic admonition to "be wholehearted with the Lord, your God" as follows: "Receive with simplicity everything that happens to you." Larry Gopnik has trouble following this advice. He receives his share of suffering with mounting angst, and the recurring demand that God—referred to, throughout, by the oblique and respectful Hebraic designation "Hashem"—provide him with some answers.

Not that you can blame him, since his share seems so wildly disproportionate to the decent, upright life he's tried to live. His marriage has suddenly, shockingly failed, and his wife wants to leave him for a bearish, oleaginous widower named Sy Ableman (a wonderful Fred Melamed). His redneck, possibly anti-Semitic neighbor is trying to make a land grab in their subdivision. His asocial, unemployable brother is sleeping on his couch, draining a cyst and filling a notebook with mad equations that purport to predict the future. A soft-spoken but persistent Korean student wants to bribe him to change an F to a C+. An anonymous enemy is sending defamatory letters to the tenure committee at his college. And the Columbia Record Company claims that he owes them for a year's worth of the "monthly main selection."

"I didn't do anything!" our hero wails to the Columbia representative. "I didn't ask for this!" But like Job, he's getting it—good and hard.

Like Job, too, he has three advisers trying to help him make sense of it—three rabbis, in this case, one young and callow, one middle-aged and garrulous, and one so old that he refuses to grant interviews. ("The rabbi is busy," Gopnik is told. "He's *thinking*.") But whereas Job's friends insisted on trying to make his suffering comprehensible—claiming that God was punishing him for his sins, whatever those might be—Gopnik's rabbis take the opposite tack, emphasizing the impenetrability of the Almighty's ways.

"Hashem doesn't owe us the answer, Larry," the second rabbi tells him. "Hashem doesn't owe us anything. The obligation runs the other way."

The rabbis' personalities, like Larry's vividly realized suburban/Jewish/1960s world (the world of the Coens' own childhood, as it happens), are often played for laughs. But their advice—accept uncertainty, live with what God gives you, and be good—is of a piece with the movie's broader insistence on the mysteriousness of existence, rather than its meaninglessness.

It's of a piece, too, with the Coens' oeuvre as a whole, their reputation for nihilism notwithstanding. (It's telling that when actual nihilists make an appearance in their work—as villains in *The Big Lebowski*—they're dismissed with one of the Coens' most-quoted lines: "Nihilists! F*** me. I mean, say what you like about the tenets of National Socialism, Dude, at least it's an *ethos*.") As Matt Zoller Seitz has written, their movies are proudly mysterian: They "tease our suspicion that powerful, unseen forces move the universe—moral and ethical forces that sometimes seem to be rendering judgment or sending a message" while simultaneously insisting that "no man can verify if these forces actually exist."

Theirs is a universe that might be pointless, in other words, but then again it might not. And while we struggle with the mystery, *A Serious Man* repeatedly suggests—especially in its baffling, provocative finale—it's important to keep trying to do the right thing.

You never know Who might be watching. **NR**

City Desk

The Great Alexander

RICHARD BROOKHISER

We are not Hollywood, yet we are dotted with camera crews: TV news vans with pop-up antennas covering celebrity appearances or disasters; movies and TV shows that want "real" urban locations, even though Toronto is cheaper; kids from the New York Film Academy learning to block and frame and focus. Recently I joined all this activity, for the last day of filming a PBS documentary on Alexander Hamilton. I am the writer and host; the director/producer is Michael Pack. The Hamilton film is a very Gotham project: Michael was born in the city but moved away; Hamilton and I were born elsewhere but moved here.

We had three assignments for our last day. The first was to plug a few holes with stand-ups. An on-camera host telling you what it all means can be as intrusive as a robo-caller, but in moderation he can provide a thread through a subject, and relief from other footage. One of my tasks was to explain the election of 1800. This election joins 1824, 1876, and 2000 on the list of royally screwed-up presidential elections, and since it came first, the potential for panic was greatest, because Americans did not yet know that the system could take a hit and roll on.

Telling the story is complicated by the fact that it occurred before the Twelfth Amendment, which gave legal reality to tickets, with candidates for president and vice president, as we know them today. According to the original Constitution, each elector in the Electoral College cast two separate votes. Whoever got the most became president; whoever finished second was veep. In 1800, Thomas Jefferson and Aaron Burr, candidates of the first Republican party, beat their Federalist opponents, John Adams and Charles Pinckney. But thanks to Republican-party discipline, Jefferson and Burr tied, sending the election to the House. (Hamilton's role in the fracas was clumsy and honorable—clumsy, because he tore down Adams, his own party's choice; honorable, because when the tie reached the House he advised Federalists to back Jefferson over Burr—good for the country, though not for him, as he would find at Weehawken four years later.)

If you want to explain political reality in 1800, you can't do it much more briefly than the sentences above. But they consume an eternity of air time, which Michael did not want to spend lingering over ye olde portraits, as I lectured in voice-over. So I stood on lower Broadway, near where Hamilton lived and worked, explaining 209-year-old legalisms against a backdrop of the daily scrimmage, which suggests urgency and cross-purposes as well as anything.

Another stand-up took us to Chinatown. During the Revolution, Captain Hamilton briefly led his artillery company to a fort north of the city. Legend has it that he was given warning to retreat from the advancing British by Major Burr, though this is almost certainly apocryphal. What is not apocryphal is that the fort stood at the intersection of Grand and Center streets. Who would hesitate to throw a little Chinese atmosphere into a film that spends so much time in Independence Hall? So we found a corner with street vendors selling sunglasses and lemongrass, the cameraman stood on top of a siamese standpipe, and I walked toward him explaining the retreat from New York.

Our second task for the day concerned the finale. The last shot of the film will be at Hamilton's grave, in Trinity churchyard at the head of Wall Street. My role in the scene was to walk among the headstones, considering mortality. The star of the shot was the camera crane, and its jib arm. The jib is a twelve-foot beam, resting on a pivot. By working the short end, the cameraman can make the camera swoop around in a flat arc, or change elevation. We wanted to end with an upward swerve: Here he lies, but this—the New York mountain range—is what he built. I walked and walked, alone in the green yard of the dead, for take after take. At one point, a tour of schoolchildren swarmed in to pay their respects. I felt like the hero of an art-house release, surrounded after all his trials by innocence. But we have not been making the movie about my trials.

The third and last task had to do with our score. Hamilton was born on Nevis and raised on St. Croix, and we wanted to decorate his story with calypso music. Hamilton never heard calypso, but we wanted to suggest his foreignness, which no one, especially his enemies, ever forgot. Where better to find a calypso musician than New York? We managed it this way: Our production assistant from St. Croix, who happened to be visiting the city, heard a musician on the Battery playing a steel pan, and took his name. When he showed up for his audition, he brought three songs that he had written just for us. He was a 61-year-old man from St. Vincent; we loaned him a guitar, and let him perform.

One song was about money, and we filmed him, naturally, outside the Stock Exchange. Another song was about lust, for Hamilton had a sex scandal, and for that we put him in a dark spot with faux old lanterns. His third song was a paean to our subject, with this chorus:

Alexander Hamilton
You were a great man.
We miss you, my brother man,
More than anyone.

Why did it move me so? The island music, I realized, was our attempt to give Hamilton back his youth. He didn't want it: For him the islands meant poverty, loneliness (his father took off, his mother died), shame (they were not married). Even if he had wanted it, it's too late: He's been dead for two centuries. But when you enter a man's life, you take him into yours. It is right to honor him, and to wish him well. This is for you, my brother man. **NR**

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Happy Warrior

BY MARK STEYN

Not Cutting It

A FEW weeks ago, Zachary Christie of Newark, in Joe Biden's Grand Duchy of Delaware, joined the Cub Scouts. In the course of so doing, he acquired one of those combination knife-fork-spoon utensils that come in so useful when you're tucking in to a hearty meal round the campfire. Zachary is only six so he can't be blamed for not knowing that the Scouts are systemically homophobic and that it's dangerous to sit round campfires without wearing protective gear at a distance of at least 200 yards and with a federally licensed fire-control operative supervising the conflagration.

But six-year old Zachary *is* to blame for finding his knife-fork-spoon utensil so cool he decided one October morn to take it to school to eat lunch with it. Knives are banned. Because they're weapons. The first-grader was summoned to a disciplinary-committee hearing and sentenced to at least 45 days in reform school. Don't get mad at the "educators." "We have to follow the policy as it is written consistently because this is the code of conduct that is applied to all of our students in our district," droned the School District spokesdrone, Wendy E. Lapham.

Indeed. This is the same Christina School District that in April attempted to expel sixth-grader Kasia Haughton. Kasia took a cake to school for her fellow students, and, in helping her pack it, her grandmother helpfully put a knife in the bag. Her teacher placed the cake on the desk, used the knife to cut it, passed round the slices, and then reported Kasia for bringing a "deadly weapon" to school. The grandmother packed the knife. The teacher used the knife. Kasia never touched it. But, like those hapless Thai tourists who foolishly agree to serve as couriers of prohibited substances, she's the one who has to swing for it. As the self-same spokesdrone Wendy E. Lapham droned on this occasion, any knife three inches or longer is classified as a deadly weapon. Have to follow the policy. Can't make any exceptions. Despite having undergone years of expensive credentialization to qualify to serve in positions of authority, School District officials are prohibited by law from exercising any discretion, using any judgment, demonstrating any sense of proportion, or displaying other qualities hitherto associated with sentient human beings.

A cake knife is not a "deadly weapon": It is a kitchen utensil. To cite another case, a plastic fireman's ax is not a deadly weapon or even a deadly utensil: It is a toy. Wouldn't any responsible adult feel a sense of shame at doing what the Christina School District does to Zachary Christie and Kasia Haughton? Well, sure, but what you gonna do? You could make like the Japanese and fall on your ceremonial sword, but unfortunately the School Board classifies three-inch plastic knives as "ceremonial swords" and they don't really do the job.

In my travails with Canada's "human rights" commissions, I find myself increasingly struck by the regime's less likely targets—for example, the gay b&b owner with sinusitis subject to a "human rights" complaint from a blind diabetic with a seeing-eye dog. Wow. Who's the good guy there? Silly question: It's the government as sole legitimate arbiter of societal conduct. If the law is a ass (Dickens), micro-regulation is one giant ass pocked with a million oozing pustules and dropped on you from a great height—and so crushing that, in the Christina School District, spokesapparatchiks seem befuddled when asked why even their most basic human impulses no longer function. Regulation strips law of the "reasonable man" standard. There is nothing "reasonable" because there is no longer reason: The School District officials are forbidden (even if they're still capable) to reason that a person in possession of a knife and cake might reasonably be intending the former to assist in the division of the latter. Instead, all must submit to the diktat of regulation.

Unless, of course, you're a Sikh. Sikhs like to carry their traditional kirpans—knives up to eight inches—and the New York City Board of Education and the Supreme Court of Canada, among many others, have ruled that boys are permitted to take them to school. Why? Because, in the ideological hierarchy, multiculturalism trumps "safety." A cake knife is a "deadly weapon" but a deadly weapon is merely the Sikh symbol for "the power of truth to cut through untruth." If that isn't reason to ban it from public schools, I don't know what is. Nevertheless, if you're taking a cake to school, ask a Sikh classmate to cut it up for you. And be grateful that the FDA hasn't yet classified the cake as a deadly weapon.

Can such a society survive? I doubt it. After all, if you raise your young in such a world, what sort of adults do they grow into? A couple of years back, a neighbor's kid was given a plastic sword and shield as a birthday present. Mom refuses to let her boy play with "militaristic" toys, so she confiscated the sword but, in a moment of weakness, let him keep the shield. And for a while, on my drive down to town, I'd pass the li'l tyke in the yard playing with his beloved shield, mastering the art of cringing and cowering against unseen blows from all directions. In a hyper-regulated world, it's a useful skill to acquire. But I'm not sure it will be enough. **NR**

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